

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> <p style="padding-left: 40px;">(a) "bylaw enforcement officer" means a</p> <p style="padding-left: 80px;">(i) peace officer appointed pursuant to the <i>Peace Officer Act</i>, SA 2006, c P-3.5;</p> <p style="padding-left: 80px;">(ii) bylaw enforcement officer appointed pursuant to the Enforcement Bylaw, Bylaw 16368; or</p> <p style="padding-left: 80px;">(iii) police officer appointed pursuant to the <i>Police Act</i>, RSA 2000, c P-17;</p> <p style="padding-left: 40px;">(b) "City" means The City of Edmonton;</p> <p style="padding-left: 40px;">(c) "City Manager" means the City's chief administrative officer or delegate;</p> <p style="padding-left: 40px;">(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;</p> <p style="padding-left: 40px;">(e) "Edmonton Transit Service" means the City's municipal passenger transportation system;</p> |

- (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 the Animal Licensing and Control Bylaw, Bylaw 13145;
- (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, PS - Parks and Services Zone, or PU - Public Utility 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.
- (3) If a person contravenes a term or condition of a permit, the permit is immediately deemed invalid.

DESIGNATION

- 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**

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

- (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 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 DOG IN OFF-LEASH AREA	11	A person having care or control of a restricted dog, as defined in the Animal Licensing and Control Bylaw, Bylaw 13145, 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.

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| 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 | <p>(1) A person having care or control of a dog must ensure that the dog does not:</p> <ul style="list-style-type: none">(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. <p>(2) Subsection (1) does not apply if the chase, attack, bite, or damage is a direct result of the dog being provoked.</p> |
| FEEDING WILDLIFE | 16 | <p>(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.</p> <p>(2) Subsection (1) does not apply to feral cats.</p> |
| INJURY TO WILDLIFE | 17 | <p>(1) A person must not kill, injure, trap, or disturb wildlife in a park.</p> <p>(2) A person must not touch, damage, disturb, or remove any wildlife den, nest, or eggs therein, in a park.</p> <p>(3) Subsection (1) does not apply to recreational fishing.</p> |

PART IV - CLOSED PUBLIC SPACES

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| CLOSED SPACES | 18 | <p>(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.</p> <p>(2) For the purpose of this section, a public space is deemed closed if:</p> |
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- (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 or 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

COMMERCIAL ACTIVITIES

19

In this part, “**commercial activity**” includes:

- (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

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A person must not engage in commercial activity in a transit vehicle or transit station.

PARKS & HIGHWAYS

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(1) A person must not engage in a commercial activity in a park or on a highway.

PERMITTED VENDORS

- (2) 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.
- (3) Nothing in this section exempts a vendor from complying with any other provision of this bylaw or any other enactment.

PART VI - CONSUMPTION OF SUBSTANCES

DEFINITIONS

22

In this part:

- (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) **“controlled substance”** has the same meaning as defined in the *Controlled Drugs and Substances Act* (Canada);
- (d) **“entertainment district”** means a public space, or portion of a public space, designated as an entertainment district in Schedule B;
- (e) **“licensed premises”** has the same meaning as defined in the *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1;
- (f) **“liquor”** has the same meaning as defined in the *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1;
- (g) **“no smoking area”** means any public space, or portion of a public space, designated as an area where smoking or vaping is prohibited;
- (h) **“smoke”** means to smoke, hold, or otherwise have control over a heated or lit tobacco product, tobacco-like product, or cannabis;
- (i) **“smoking area”** means any public space, or portion of a public space, designated as an area where smoking or vaping is permitted;
- (j) **“tobacco product”** means a product composed in whole or in part of tobacco, including tobacco leaves, cigars, and cigarettes;
- (k) **“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;

- (l) **“vape”** means to inhale or exhale the vapour produced by a vaping product; and
- (m) **“vaping product”** has the same meaning as defined in the *Tobacco, Smoking and Vaping Reduction Act*, SA 2005, c T-3.8.

ALCOHOL

- 23 (1) A person must not use or consume liquor in a public space.
- (2) Subsection (1) does not apply to:
 - (a) designated picnic areas during posted hours;
 - (b) licensed premises; and
 - (c) entertainment districts.
- (3) While in an entertainment district, a person must:
 - (a) only consume or serve liquor in a non-glass container approved by the City Manager for use in the entertainment district;
 - (b) not remove liquor purchased in an entertainment district from the entertainment district; and
 - (c) leave the entertainment district if directed to do so by the City Manager or a bylaw enforcement officer.

CONTROLLED SUBSTANCES

- 24 (1) A person must not visibly possess, display, use, or consume a controlled substance 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

- 25 (1) 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 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.
- (2) Notwithstanding subsection (1), a person may smoke or vape in a smoking area.
 - (3) A person who owns or occupies a place where smoking or vaping is prohibited by this section shall not permit any person to smoke or vape in that place.
 - (4) Nothing in this section affects the rights of Indigenous peoples respecting traditional spiritual or cultural practices or ceremonies.
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| DIRECTION TO STOP | 26 | <ul style="list-style-type: none"> (1) A person must stop displaying, using, or consuming alcohol or a controlled substance in a public space if directed to do so by a bylaw enforcement officer. (2) A person must stop smoking or vaping in a public space if directed to do so by a bylaw enforcement officer. |
| PROSECUTION | 27 | <p>In a prosecution for a contravention of this part:</p> <ul style="list-style-type: none"> (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

- 28 (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 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

29 (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 10 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

- 30 (1) In this section, “**weapon**” includes, but is not limited to:
- (a) firearms, including pellet, BB, or air guns;
 - (b) bow and/or arrows;
 - (c) hunting or utility knives;
 - (d) machetes;
 - (e) oleoresin capsaicum 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.

**DANGEROUS
ACTIONS**

- 31 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

- 32 A person must not participate in a fight or similar physical confrontation in a public space.

HARASSMENT

- 33 (1) In this section:
- (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:
 - (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.
- (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**

- 34 A person must not engage in behaviour or actions in a public space that would reasonably be expected to interfere with the physical or psychological safety of others, including City employees and other public space users, including, but not limited to:

- (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** 35 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** 36 A person must not interfere with the exclusive or licensed use of any portion of a public space granted to another person.
- USE OF TRANSIT SPACES FOR NON-TRANSIT PURPOSES** 37 A person must not remain in a transit vehicle or transit station while engaging in behaviours or activities other than those related to using Edmonton Transit Service.
- PANHANDLING** 38 (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** 39 A person must not enter or exit, or attempt to enter or exit, a moving transit vehicle.

PART IX - PERFORMANCES AND SPECIAL EVENTS

- SPECIAL EVENTS** 40 (1) In this section, “**special event**” means an event or gathering in a public space owned or operated by the City where 100 or more people are, or anticipated to be, in attendance.
- (2) A person must not organize or participate in a special event unless a permit has been issued for that special event.
- (3) The City Manager must not unreasonably withhold or refuse a permit for a special event.
- (4) A permit for a special event may include any conditions the City Manager deems reasonable, including, but not limited to, conditions:
- (a) to ensure safety or security;
- (b) to support safe and efficient traffic control;
- (c) for the protection of City assets; and
- (d) imposing fees for the use of the public space, provision of services by the City, and any incidental costs incurred by the City for the special event.
- (5) Nothing in this section will be applied or interpreted to prevent the exercise of fundamental freedoms as guaranteed by the *Canadian Charter of Rights and Freedoms*.
- TRANSIT SPACES** 41 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** 42 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	43		A person must not urinate or defecate in a public space except in a facility designed and intended for such use.
SPITTING	44		A person must not spit in a public space.
CHEMICALS AND HAZARDOUS WASTE	45	(1)	In this section,
		(a)	“biomedical waste” has the same meaning as defined in the <i>Waste Control Regulation</i> , Alta Reg 192/1996;
		(b)	“hazardous waste” has the same meaning as defined in the <i>Waste Control Regulation</i> , Alta Reg 192/1996; and
		(c)	“pesticide” has the same meaning as defined in the <i>Environmental Protection and Enhancement Act</i> , RSA 2000, c E-12, and includes herbicides.
		(2)	A person must not leave or apply paint, grease, pesticide, biomedical waste, hazardous waste, or other chemicals in a public space.
REMAINS	46	(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	47	(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 for the purpose of sheltering.
		(3)	Subsection (2) does not apply to a public space operating as a permitted campground.
STRUCTURES	48	(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	49		A person must not climb on, or otherwise interfere with or damage, a public space fixture.

**UNAUTHORIZED
USE OF PARKS**

- 50 (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**

- 51 (1) In this section, “**damage**” includes, but is not limited to digging, excavating, mowing, landscaping, and pruning.
- (2) A person must not damage or remove any tree, shrub, or other vegetation or natural materials in a public space, unless the person has permission 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.

- 52 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**
- 53 A person must not force open or close, or otherwise interfere with the operation of, doors or windows of a transit vehicle.
- 54 A person must not place anything in the aisle of a transit vehicle that may impede or interfere with the movement of passengers.

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 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:
 - (a) on the Edmonton Riverboat; or
 - (b) operating racing canoes, racing kayaks, or rowing shells when exempted by and in compliance with the *Small Vessel Regulations* (Canada).

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, but does not include sidewalk chalk.
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; (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 1 metre 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.

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 (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.
- (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.

PART XIII - TRANSIT FARES

DEFINITIONS

70

In this part:

- (a) **“fare”** means the fee established by the City Manager for transportation in a transit vehicle;
- (b) **“payment card”** means a credit card, debit card, or Arc Card;
- (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;
- (d) **“proof of payment”** means proof of payment of a required fare as demonstrated by:
- (i) a valid, unexpired, and unaltered prepaid fare product; or
 - (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
- (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

DEFINITIONS

77

In this part:

- (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:
 - (i) consists of a footboard mounted on two or three wheels with a long steering handle; and
 - (ii) is permitted to operate on a highway under the *Traffic Safety Act*, RSA 2000, c T-6;
- (d) **“motor vehicle”** has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, c T-6;
- (e) **“off-highway vehicle”** has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, c T-6; and
- (f) **“vehicle”** has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, c T-6.

SIDEWALKS

78

- (1) A person must not ride a bicycle, e-bicycle, or e-scooter on a sidewalk.
- (2) Subsection (1) does not apply to a shared pathway or persons aged 16 years and under.

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 operate an off-highway vehicle in a park. (2) A person must not operate or park a motor vehicle in a park except on a roadway or designated parking area.
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; (d) keep the vehicle under control and travelling at a reasonable rate of speed having regard to the nature, condition, and use of the surface and surrounding area; (e) not ride on any surface where riding results in, or can reasonably be expected to, cause damage to the surface.

PART XV - ENFORCEMENT

DEFINITIONS	83	In this part: (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) 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; and

- (b) the City Manager or a bylaw enforcement officer may take steps to cease or prevent the continuation of, or otherwise remedy, the offence.

FINE AMOUNT	86	(1) A person found guilty of an offence under this bylaw is liable to a fine as set out in Schedule A.
		(2) If a fine amount for an offence is not set out in Schedule A, a person found guilty of that offence is liable to a fine in an amount of \$250.
		(3) If a person is guilty of a subsequent offence, the fine amounts established in this section are doubled.
MUNICIPAL TAG	87	(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	(1) If a violation ticket is issued for an offence under this bylaw, the 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.
		(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.
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 12, 2025.
CONSEQUENTIAL AMENDMENTS	96	(1) Bylaw 5590, Traffic Bylaw, is amended as follows: (a) in section 2(s), by deleting and replacing "has the same 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 16368, Enforcement Bylaw, is amended by deleting and replacing section 20 with:
- Unless otherwise stated in a bylaw, a person found guilty of an offence under a bylaw is liable to a fine in an amount not less than that specified in the bylaw, and in any event not exceeding \$10,000 or imprisonment for not more than one year for non-payment of the fine.
- (4) Bylaw 18093, Drainage Bylaw, is amended by deleting section 14(1).
- (5) 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 this 25th day of February 2025;

READ a second time this 25th day of February 2025;

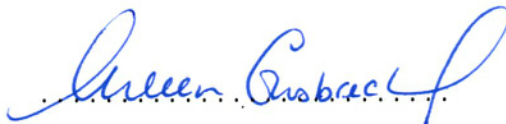
READ a third time this 25th day of February 2025;

SIGNED AND PASSED this 25th day of February 2025.

THE CITY OF EDMONTON

..........

MAYOR

..........

CITY CLERK

SCHEDULE A - FINES

Section	Offence	Specified 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	Feeding wildlife	\$250
17(1)	Killing or injuring wildlife in park	\$500
17(2)	Interfering with nest, den, or eggs 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		
23(1)	Consuming liquor in public space	\$250

Section	Offence	Specified Fine
23(3)(a)	Serve or consume liquor in unapproved container	\$250
23(3)(b)	Remove liquor from entertainment district	\$250
23(3)(c)	Failure to leave entertainment district	\$250
24(1)	Visible drug use in public space	\$25
25(1)(a)	Smoking or vaping in building	\$250
25(1)(b)	Smoking or vaping on a patio	\$250
25(1)(c)	Smoking or vaping in vehicle for hire/transit vehicle	\$250
25(1)(d)	Smoking or vaping on prohibited property	\$250
25(1)(e)	Smoking or vaping within 10m of entrance	\$250
25(1)(f)	Smoking or vaping in recreation area	\$250
25(1)(g)	Smoking or vaping in attraction area	\$250
25(1)(h)	Smoking or vaping in no smoking area	\$250
25(3)	Owner permitting smoking or vaping where prohibited	\$500
Part VII - Fire and Fireworks		
28(1)	Lighting fire in public space	\$500
28(3)	Leaving fire unattended	\$500
28(4)	Failure to extinguish fire	\$500
29(2)	Discharging fireworks without permit	\$1,000
Part VIII - Inappropriate Actions and Behaviours		
30(2)	Possessing, displaying, or discharging weapon	\$500
30(3)	Removing safety features	\$500
31	Dangerous actions	\$500
32	Fighting in public	\$500
33(2)	Harassment	\$250

Section	Offence	Specified Fine
34	Inappropriate behaviours	\$250
35	Causing damage to public space	\$250
36	Interfering with other users	\$250
37	Use of transit spaces for unrelated purpose	\$250
38(2)	Aggressive panhandling	\$250
38(3)	Panhandling in roadway	\$25
39	Entering/exiting moving transit vehicle	\$250
Part IX - Performances and Special Events		
40(2)	Participating in special event without permit	\$250
41	Performance in transit space outside of designated area	\$250
Part X - Protection of Public Spaces		
42	Littering	\$250
43	Urinating/defecating in public space	\$500
44	Spitting	\$250
45(2)	Depositing chemical or hazardous waste	\$500
46(1)	Depositing remains	\$500
47(2)	Occupying temporary shelter	\$25
48(1)	Placing structure	\$250
49	Interfering with public space fixture	\$250
50(2)	Unauthorized use of park	\$500
51(2)	Damaging or removing vegetation	\$250
52	Planting tree in public space	\$250
53	Interfering with transit vehicle	\$250
54	Impeding aisle of transit vehicle	\$250

Section	Offence	Specified 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 the 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 markings	\$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 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

Section	Offence	Specified 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(1)	Riding bicycle on sidewalk	\$250
79	Riding bicycle in transit space	\$250
80	Riding bicycle in indoor public space	\$250
81(1)	Operating off-highway vehicle in park	\$250
81(2)	Operating vehicle in park outside roadway	\$250
82(a)	Failure to yield right of way	\$250
82(b)	Failure to alert prior to overtaking	\$250
82(c)	Unsafe overtaking	\$250
82(d)	Unsafe operation	\$250
82(e)	Cause damage to surface	\$250

SCHEDULE B - ENTERTAINMENT DISTRICTS

