

VILLAGE OF ACME  
BYLAW NO # 2011 – 02

BEING A BYLAW OF THE COUNCIL OF THE VILLAGE OF ACME TO PROVIDE FOR THE CONTROL AND REGULATION OF HARASSMENT AND/OR BULLYING IN THE VILLAGE OF ACME.

WHEREAS a COUNCIL of a Municipality, pursuant to the Municipal Government ACT, S.A., 1994, Chapter M26.1 and all amendments thereto may by Bylaw provide for the delegation of authority with respect to a PERSON who harasses and/or bullies minors.

NOW THEREFORE THE COUNCIL OF THE VILLAGE OF ACME DULY ASSEMBLED ENACTS AS FOLLOWS:

1. NAME

- 1.1 This Bylaw may be cited as the 'BULLYING BYLAW' and shall be taken to apply within the municipal boundaries of the VILLAGE of Acme.
- 1.2 When not inconsistent with the context word used in the present tense include the future, words in the plural shall include the singular and vice versa and all words and terms are considered to be gender neutral.

2. DEFINITIONS

2.1 In this Bylaw the definitions the following definitions shall apply:

- a) "ACT" shall mean the Municipal Government ACT, Statutes of Alberta 1994, c-M26.1 and all subsequent amendments thereto.
- b) "BULLYING" means the repeated and systematic intimidation or harassment of others by the real or threatened infliction of physical violence and attacks, racially or ethnically-based verbal abuse and gender-based put-downs, verbal taunts, name calling and put-downs, written or electronically transmitted, or emotional abuse, extortion of stealing of money and possessions an social out-casting.
- c) "COUNCIL" means the Mayor and COUNCILLORS of the VILLAGE for the time being, elected pursuant to the provisions of applicable legislation, whose term is not expired, who have not resigned and who continue to be eligible to hold office as such under the terms of the applicable legislation.

- d) "COUNCILLOR" means a Member who is elected at a general election by the citizens of the VILLAGE to the position of COUNCILLOR and who is not the Chief Elected Official.
- e) "OFFICER" means a Bylaw Enforcement Officer or a Peace Officer appointed by the VILLAGE pursuant to the ACT to enforce VILLAGE bylaws and includes a member of the Royal Canadian Mounted Police.
- f) "PERSON" includes an individual, corporation, firm, partnership, association or body corporate.
- g) "VILLAGE" means the Municipal Corporation of the VILLAGE of Acme or the area contained within the VILLAGE boundaries as the context requires.
- h) "VIOLATION TICKET" means a ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act.

### 3. REQUIREMENTS

#### 3.1

- a) No PERSON shall communicate either directly or indirectly with any PERSON in a way that caused the PERSON, reasonably in all the circumstance to feel harassed or bullied.
- b) No PERSON shall, while not taking part in any action described in 3.1 (a), encourage or cheer on, any PERSON described in Section 3.1 (a).

### 4. PENALTIES

- 4.1 Any PERSON who contravenes any provision of this Bylaw is guilty of an offence and may be issued a VIOLATION TICKET and is liable upon summary conviction to:
  - a) 1<sup>st</sup> Offense - a fine of Two Hundred Fifty (\$250.00) Dollars (Part 2 VIOLATION TICKET - Specified Penalty)
  - b) 2<sup>nd</sup> & Subsequent Offences - a fine not exceeding One Thousand (\$1,000.00) Dollars, or imprisonment for not more than 5 days, or both. (Part 2 VIOLATION TICKET - Mandatory Court)
- 4.2 An OFFICER is hereby authorized and empowered to issue a VIOLATION TICKET, to any PERSON who the OFFICER has reasonable and probable grounds to believed has contravened any provision of this bylaw.

- 4.3 A Violation Ticket shall be deemed to be sufficiently served if:  
i) it is served personally on the Owner;  
ii) left for the defendant at his place of residence with a PERSON on the premises who appears to be at least 18 years of age.
- 4.4 Notwithstanding Section 4.1 of this Bylaw, any PERSON who commits a subsequent offence under this Bylaw within one (1) year of committing the first offence may be issued a VIOLATION TICKET with the Specified Penalty Option set out under for subsequent offences.
- 4.5 Any PERSON to whom a VIOLATION TICKET has been issued with a specified penalty may make voluntary payment in respect to the VIOLATION TICKET by delivering the VIOLATION TICKET along with an amount equal to that specified for the offence as set out in the Bylaw, to the Provincial court office specified on the VIOLATION TICKET.

#### 5. SEVERABILITY

- 5.1 Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

#### 6. OTHER

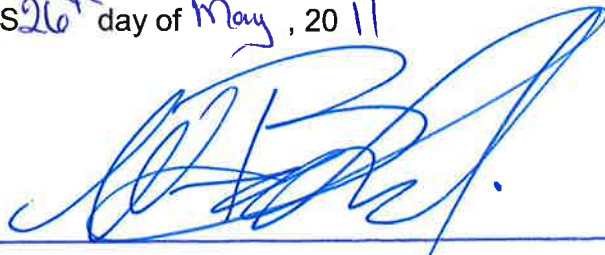
- 6.1 This Bylaw shall be effective upon 3<sup>rd</sup> reading and signing.


READ A FIRST TIME THIS 11<sup>th</sup> day of April, 2011

READ A SECOND TIME THIS 9<sup>th</sup> day of May, 2011

READ A THIRD TIME THIS 26<sup>th</sup> day of May, 2011

SIGNED AND PASSED THIS 26<sup>th</sup> day of May, 2011

  
MAYOR

  
CAO