

 Provincial Capital Commission Wascana Centre Government House	<h1>FRAMEWORK BYLAW</h1>	
<u>Section:</u> n/a	<u>Bylaw#</u> 1	<u>Version#</u> 1
Effective Date: March 8, 2021		Replaces: n/a
Approved By: Provincial Capital Commission, Board of Directors		

Purpose:

- 1 The purpose of this Bylaw is to provide a framework to guide the interpretation and enforcement of all bylaws of the Provincial Capital Commission (Commission).

Authority:

- 2 *The Provincial Capital Commission Act (Act)* provides the Commission with the authority to establish bylaws for Wascana Centre. This Framework Bylaw, and all other bylaws of the Commission, are established under subsection 4-1(1) of the Act.

Scope and Application:

- 3 This Bylaw applies to land development, land use, and any other activity or thing listed in subsection 4-1(1) of the Act that the Commission may choose to regulate through bylaw in Wascana Centre. Unless another bylaw of the Commission provides otherwise, this Bylaw applies to all other Bylaws of the Commission.

Definitions

- 4 In this Bylaw, and in all other bylaws of the Commission:
 - (a) **“Act”** means *The Provincial Capital Commission Act*;
 - (b) **“applicant”** means a person who applies for a permit or commercial license in accordance with the bylaws;
 - (c) **“business day”** means a day other than a Saturday, Sunday, or holiday;
 - (d) **“bylaw enforcement officer”** means a bylaw enforcement officer appointed by the Commission to enforce the bylaws;

- (e) **“chief executive officer”** means the executive director for the Commission appointed pursuant to the Act and includes any employee of the Commission to whom the chief executive director delegates any of the chief executive officer’s powers or duties;
 - (f) **“Chief of Police”** means the Chief of Police of the Regina Police Service;
 - (g) **“commercial activity”** means an activity involving the sale of goods or services within Wascana Centre which is carried on outside a building.
 - (h) **“open space”** means public roadways, pathways, public walkways, bodies of water, floodplains, conservation areas, buffer strips, and utility parcels within Wascana Centre;
 - (i) **“park”** means property that is established, dedicated, set apart, or made available for use as a public space, garden, athletic field or playground in Wascana Centre;
 - (j) **“permit”** means a permit issued in accordance with the Bylaws;
 - (k) **“regulated conduct”** means a conduct set out in section 6 of Commission Bylaw 3: Parks and Open Spaces.
- 5 All terms defined in the Act and regulations are deemed to be defined for the same purposes in these bylaws.
- 6 Part 2 of *The Legislation Act, S.S. 2019, c.L-10.2*, applies with any necessary modification to the interpretation of this Bylaw.
- 7 If any section, subsection, sentence, clause, phrase, or other portion of this bylaw or any other bylaw of the Commission is for any reason held invalid or unenforceable by any court, that portion is deemed to be a separate, distinct, and independent provision, and the holding of the court does not affect the validity of the remaining portions of the bylaws.

Interpretation of Bylaws

- 8 The bylaws of the Commission are to be developed and interpreted by the Commission in accordance with the following principles:
- (a) to provide an open and safe space to all Wascana Centre users;
 - (b) to support the orderly administration of Wascana Centre;
 - (c) to provide for transparent communication of regulated conduct and activity;
 - (d) to ensure adherence to the Act, the master plan, and the Commission’s policies;

- (e) to protect the environment and human health and safety; and
- (f) to ensure that a use or proposed activity in Wascana Centre does not, in the Commission's opinion, unduly affect other Wascana Centre users.

Principles to Guide Commission

- 9 In applying these bylaws, the Commission shall balance competing demands on the use of Wascana Centre, including those arising from interests protected by the *Canadian Charter of Rights and Freedoms* and other constitutional enactments, to ensure orderly administration of Wascana Centre for the benefit of the public.

Enforcement

- 10 As per subsection 4-1(6) of the Act, all bylaws of the Commission are enforced in a manner consistent with *The Cities Act*.
- 11 If a person contravenes or fails to comply with a provision of any bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.