

# Provincial Capital Commission

## BYLAWS

enacted under

### *THE PROVINCIAL CAPITAL COMMISSION ACT*

As Published in The Saskatchewan Gazette on

March 8, 2021, March 18, 2022 and June 10, 2022  
and effective on and after these dates.

I, Jenna Schroeder, Executive Director of the Provincial Capital Commission,  
HEREBY CERTIFY that this is a true copy of the Bylaws of the Provincial  
Capital Commission.


Dated this 13<sup>th</sup> day of June A.D. 2022.



Secretary  
Provincial Capital Commission

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

 <b>Provincial Capital Commission</b> Wascana Centre   Government House	<h1>PERMIT BYLAW</h1>	
<u>Section:</u> n/a	<u>Bylaw#</u> 2	<u>Version#</u> 1
<b>Effective Date:</b> March 8, 2021		<b>Replaces:</b> WCA Bylaw 27
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is to describe the process for applying for a permit from the Provincial Capital Commission (Commission), the general criteria under which a permit will be reviewed and may be granted, the terms and conditions that a permit may be subject to in Wascana Centre, and the process for the suspension and cancellation of permits.

**Authority:**

- 2 This Bylaw is established under clause 4-1(1)(p) of *The Provincial Capital Commission Act (Act)* which states that the Commission may establish bylaws providing for a system of licenses, inspections, permits, or approvals including the following:
  - (a) establishing fees for permits;
  - (b) prohibiting any development, activity, industry, business, or thing unless a permit has been granted;
  - (c) providing that terms and conditions may be imposed on any permit and setting out the nature of the terms and conditions and who may impose them;
  - (d) setting out the conditions that must be met before a permit is granted or renewed, the nature of the conditions and who may impose them; and
  - (e) providing for the duration of permits and for their suspension or cancellation for failure to comply with a terms or condition of the bylaw.

**Scope and Application:**

- 3 This Bylaw applies to any person who applies for a permit in Wascana Centre for any regulated conduct specified in section 6 of Bylaw 3: Park and Open Spaces in Wascana Centre, or as otherwise indicated in Commission bylaws.

## **Definitions:**

4 n/a

## **Permit Required**

5 Subject to section 6 of Bylaw 3: Parks and Open Spaces, unless a regulated conduct is authorized by a sign posted within Wascana Centre by the Commission, no person shall engage in the regulated conduct without a permit issued by the Commission.

## **Application for Permit**

6 Every person wishing to obtain a permit must submit an application to the Commission in the form provided by or acceptable to the Commission.

7 Every applicant must submit the fee required by the Commission along with the application.

8 The Commission shall publish on the Commission's website and in any other manner the Commission considers appropriate a fees schedule indicating the fee amount for each type of permit.

9 Fees paid by an applicant are not refundable.

10 Every application must contain the following information satisfactory to the Commission:

- (a) nature of the regulated conduct for which a permit is required;
- (b) proposed location and duration of the regulated conduct;
- (c) the names of the participants who will be engaging in the regulated conduct;
- (d) appropriate contact information required by the Commission;
- (e) a statement of any requirement to erect a structure or tent to carry on the regulated conduct; and
- (f) any other information that may be reasonably requested by the Commission.

## **Approval or Rejection of an Application**

11 After receiving an application, the Commission may:

- (a) approve the application if it is satisfied that:
  - i. the permit application is complete;

- ii. the regulated conduct set out in the application is consistent with the Act, the regulations, the master plan, and this Bylaw; and
  - iii. it is not contrary to the public interest to do so; or
- (b) reject the application if it is satisfied that:
  - i. the application is not complete;
  - ii. the proposed regulated conduct is unsafe or dangerous;
  - iii. the proposed regulated conduct will impact the natural condition of Wascana Centre;
  - iv. the proposed regulated conduct will substantially interfere with the use of all or any part of Wascana Centre by the public;
  - v. the proposed regulated conduct is not consistent with the Act, the regulations, the master plan, this Bylaw or with the principles mentioned in Commission Bylaw 1: Framework Bylaw;
  - vi. the proposed regulated conduct would contravene any laws of general application; or
  - vii. it is contrary to the public interest to issue the permit applied for.
- 12 In determining whether the proposed regulated conduct is contrary to the public interest, and whether a permit application should be generally approved, renewed, cancelled, or amended, the Commission shall be guided by the principles in section 9 of Bylaw 1: Framework Bylaw.
- 13 If the Commission rejects an application, it may propose to the applicant any alternative measures that better balance the 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.
- 14 Where a permit application is denied, the Commission will:
  - (a) notify the applicant in writing of the reasons for denial;
  - (b) inform the applicant of the opportunity to provide additional information in support of the application; and
  - (c) indicate the deadline for submission of additional information.
- 15 If the Commission receives additional information in support of the application, the Commission will consider the application that has been resubmitted and may approve or reject it.
- 16 The Commission may delegate to the chief executive officer any of its powers and duties pursuant



to this Bylaw and the exercise by the chief executive officer of those powers and the fulfilment of those duties is deemed to be the exercise and fulfilment by the Commission.

### **Permit Terms and Conditions**

- 17 The Commission may impose any specific terms and conditions it considers appropriate on a permit including, but not limited to:
  - (a) stating the dates and hours during which the regulated conduct authorized by the permit may be carried out;
  - (b) subject to any authorized renewal, stating when the permit expires;
  - (c) requiring the permit holder to provide evidence of insurance satisfactory to the Commission, and evidence that any other permits or approvals required by any other Act, by a participating party, or by another authority have been obtained;
  - (d) setting out the details respecting any booth, tent, stall or other structure that is to be erected, maintained and taken down;
  - (e) requiring that the environmental, safety, and sanitary standards of Wascana Centre are maintained; or
  - (f) setting out any other term or condition deemed appropriate or in the public interest.
- 18 The permit holder must comply with the terms and conditions of the permit.
- 19 If a permit holder contravenes the terms and conditions imposed on the holder's permit, the Commission may cancel the permit after providing written notice to the holder along with reasons for the proposed cancellation.
- 20 Notwithstanding section 18, if the Commission considers it urgent and in the public interest, the Commission may immediately cancel a holder's permit, but, if it does so, shall provide the holder with written reasons for its cancellation.

### **Expiry and renewal of permits**

- 21 No permit is to be issued for a period greater than 7 days.
- 22 Not less than 24 hours before a permit is to expire, the holder of a permit may apply to have the permit renewed and, on receipt of an application to renew, the Commission may:
  - (a) renew the permit; or

- (b) not renew the permit if the Commission considers that it is not consistent with the Act, the regulations, the master plan, this Bylaw, or is not in the public interest.
- 23 If the Commission decides not to renew a permit, it shall provide notice to the holder along with reasons for its decision.

### **Permit Suspension and Cancellation**

- 24 A permit may be suspended or cancelled by the Commission if the permit holder:
- (a) provided false information in the application;
  - (b) fails to comply with the direction of the Commission during an inspection;
  - (c) engages in an activity that is not authorized under the permit or that is deemed to breach the Act, master plan, any bylaw of the Commission, or any law of general application;
  - (d) interferes with the use of Wascana Centre by the public; or
  - (e) otherwise breaches a term and condition of the permit.
- 25 If the Commission determines that a permit is to be suspended or cancelled:
- (a) The Commission shall provide the permit holder with forty-eight (48) hours of notice of the suspension and cancellation in writing.
  - (b) The permit holder may, during the forty-eight (48) hour notice period, provide information to the Commission that the permit holder wishes to provide, otherwise the suspension or cancellation becomes effective at the time provided in the original notice.
  - (c) If information is provided by the permit holder, the Commission must:
    - i. consider the information;
    - ii. provide further written notice to the permit holder whether the suspension or cancellation will proceed and become effective at the time provided in the original notice or an alternative effective time; and
    - iii. provide reasons for that determination.
- 26 If the Commission determines there is a danger to the public or Wascana Centre, the Commission may provide written notice of the immediate suspension or cancellation of a permit and that suspension or cancellation is effective upon the notice being provided to the permit holder.
- (a) Following the immediate suspension or cancellation, the permit holder will be provided with five (5) business days to provide information to the Commission as the permit holder

wishes, otherwise the suspension or cancellation remains effective.

- (b) If information is provided by the permit holder, the Commission must:
- i. consider the information;
  - ii. provide further written notice to the permit holder whether the permit will continue to be cancelled or suspended; and
  - iii. provide reasons for that determination.

- 27 If a permit is suspended for any reason, the original notice provided must state the period of suspension, and the permit shall automatically resume at the conclusion of the suspension period.

### **Amendments of Permits**

- 28 A permit, including its terms and conditions, may be amended at the request of the permit holder or at the discretion of the Commission. Notice of any amendment will be provided in writing to the permit holder. If the terms and conditions of a permit are amended at the discretion of the Commission, then the Commission shall notify the permit holder of the reasons for the amendment.

### **Enforcement**

- 29 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.

### **Repeal**

- 30 This Bylaw repeals Bylaw 27: Permits and Prohibited Uses of the Wascana Centre Authority, dated July 17, 2018.

 <b>Provincial Capital Commission</b> <small>Wascana Centre   Government House</small>	<h2>PARK AND OPEN SPACES BYLAW</h2>	
<u>Section:</u> n/a	<u>Bylaw#</u> 3	<u>Version#</u> 1
<b>Effective Date:</b> March 8, 2021		<b>Replaces:</b> WCA Bylaws 3, 5, 6
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is to regulate the use of public park and open spaces within Wascana Centre.

**Authority:**

- 2 This Bylaw is established under subsection 4-1(1) of the Act, more specifically clauses 4-1(1)a, 4-1(1)(e), and 4-1(1)(i) of the Act, which permits to the Commission to regulate:
  - (a) the use of public land and the construction or alteration of any improvement on public land;
  - (b) any activity to protect and conserve natural areas and animal, bird, and plant life; and
  - (c) sports, games, swimming, picnicking, camping, or other recreational activities.

**Scope and Application:**

- 3 This Bylaw applies to persons who use Wascana Centre.
- 4 This Bylaw does not apply to any sports, games, swimming, picnicking, camping, or other recreational activities conducted on University of Regina land.

**Permit Required**

- 5 Subject to section 6, unless a regulated conduct is authorized by a sign posted within Wascana Centre by the Commission, no person shall engage in regulated conduct without a permit issued by the Commission.

**Regulated Conduct**

- 6 For the purposes of this Bylaw, regulated conduct means all or any of the following activities in Wascana Centre:

- (a) destroying or removing a structure, fixture, sign or other property;
- (b) destroying, cutting, pruning, mowing, or removing any plant material, rock, soil, water, or minerals or plant any planted material;
- (c) throwing or dumping any material of any kind except in receptacles provided by the Commission for that purpose;
- (d) swimming or fishing in Wascana Lake or Wascana Creek;
- (e) moving, disturbing, or destroying any nesting bird, bird nest, or eggs, or the nest or eggs of any other wildlife;
- (f) setting any trap or snare to injure, attempt to kill, or kill any wild animal or bird or to gain possession of any wild animal or bird;
- (g) throw any stone or other missile;
- (h) engaging in any recreational activities in the Waterfowl Park Display Ponds of Wascana Centre, except on trails designated for that purpose and in accordance with any signage;
- (i) riding, driving, or leading any horse within the Wascana Centre except on paths that may be designated by the Commission for that purpose or on public highways;
- (j) launching or landing any motorized watercraft or aircraft;
- (k) engaging in any non-motorized boating or water activities east of Broad Street bridge;
- (l) constructing any temporary outdoor rink for ice skating or ice skating on Wascana Lake or Wascana Creek;
- (m) riding any bicycle, roller skating, roller blading, or skateboarding, except on designated paths provided by the Commission for such purpose;
- (n) flying, releasing, or landing a hot air or passenger balloon, or operating a radio-controlled, fixed-line-controlled, motorized, or unmanned aerial vehicle or power-launched aircraft;
- (o) engaging in any organized sports or team games, except in areas provided by the Commission for that purpose;
- (p) starting, making, or kindling a fire other than in authorized fire pits;
- (q) leaving or storing personal property in an outdoor space;

- (r) setting up a shelter, tarp, canopy, or other such device;
- (s) establishing or maintaining a camp, or erecting or maintaining a tent or other shelter for use as lodging;
- (t) assuming exclusive use of all or a portion of Wascana Centre; and
- (u) engaging in any activity or park use that is contrary to a sign prohibiting or restricting such activity or use.

### **Manner of carrying out activities**

- 7 Every person who carries out any activity within Wascana Centre that is authorized by a permit issued to the person or by a sign authorizing the activity shall carry out that activity in a manner that:
  - (a) is not reckless, negligent, or dangerous;
  - (b) does not expose the public or participants to risk of any harm or injury; and
  - (c) does not constitute a disregard for the welfare or safety of any person.

### **Prohibited Conduct**

- 8 No person shall:
  - (a) defecate or urinate in any place on public land, except in a designated washroom facility;
  - (b) bathe in, wade in, pollute, or deposit rubbish in any fountain; or
  - (c) litter on any public land or any public highway within Wascana Centre.
- 9 No person shall have in his or her possession any firearm, except:
  - (a) as authorized in writing by the Chief of Police or the chief executive officer;
  - (b) any law enforcement officers acting in the line of duty; or
  - (c) in preparation for, and the conduct and firing of, official ceremonial salutes.

## **Exceptions**


- 10 Employees, agents, assignees, or contractors of the Commission may engage in the conduct set out in section 6 to the extent that is reasonable necessary to carry out their duties to the Commission.
- 11 Nothing in this Bylaw shall prevent property owners in Wascana Centre from maintaining their parks and open spaces on public land according to the terms and conditions of any agreements signed with the Commission.
- 12 This Bylaw shall not apply to:
  - (a) any emergency vehicle or emergency watercraft; or
  - (b) any municipal or provincial utility vehicle, owned and operated by a participating party.

## **Enforcement**

- 13 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.

## **Repeal**

- 14 This Bylaw repeals Bylaw 3: Conduct of Persons (excluding section 3B), Bylaw 5: Swimming, and Bylaw 6: Fishing of the Wascana Centre Authority dated, July 17, 2018.

 <b>Provincial Capital Commission</b> Wascana Centre   Government House	<h2>COMMERCIAL LICENSE BYLAW</h2>	
<u>Section:</u> n/a	<u>Bylaw#</u> 4	<u>Version#</u> 1
<b>Effective Date:</b> March 8, 2021		<b>Replaces:</b> WCA Bylaw 8
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is to specify the requirements to obtain a Provincial Capital Commission (Commission) commercial license and to conduct commercial activities in Wascana Centre along with the conditions under which a commercial license may be suspended or cancelled. The Commission regulates all land use in Wascana Centre in accordance with the master plan and Commission bylaws and policies.

**Authority:**

- 2 This Bylaw is established under clause 4-1(h) and clause 4-1(p) of *The Provincial Capital Commission Act* (Act) which authorizes the Commission to do the following:
  - (a) regulate, restrict, or prohibit a trade, commercial enterprise, amusement, occupation, or other activity or undertaking and determine the place where any of these activities may or may not be carried on; and
  - (b) provide for a system of licenses.

**Scope and Application:**

- 3 This Bylaw applies to any person who seeks a license for commercial activity carried on outside a building in Wascana Centre; it does not apply to any property owner or tenant in Wascana Centre who conducts commercial activity within a building.

**Definitions:**

- 4 n/a



## **Commercial License Required**

- 5 No person shall carry on any commercial activity within Wascana Centre without a license issued by the Commission.

## **Application for Commercial Activity License**

- 6 Every person wishing to obtain a commercial activity license must submit an application to the Commission in the form provided or acceptable to the Commission.
- 7 Every applicant must submit a fee along with the application.
- 8 The Commission shall publish a fees schedule on the Commission's website and in any other manner the Commission considers appropriate indicating the fee amount for each type of permit.
- 9 The application fee mentioned above is not refundable.
- 10 Every application must contain the following information satisfactory to the Commission:
  - (a) the proposed location(s) of the commercial activity;
  - (b) the business name under which the proposed commercial activity will operate;
  - (c) the legal name of the applicant;
  - (d) the mailing address, e-mail, and telephone number of the applicant;
  - (e) the nature of the commercial activity for which the license is required;
  - (f) the details and specifications of any request to erect a temporary structure or tent to carry on the commercial activity; and
  - (g) any other information that may be reasonably requested by the Commission.
- 11 The Commission may waive the license fee if the applicant is from a non-profit organization.

## **Application Review**

- 12 After receiving an application, the Commission may:
  - (a) approve the application if it is satisfied that:
    - i. the application is complete;

ii. the commercial activity set out in the application is consistent with the Act, the regulations, the master plan, and this Bylaw; and

iii. it is not contrary to the public interest to do so; or

(b) reject the application if it is satisfied that:

i. the application is not complete;

ii. the proposed commercial activity is unsafe or dangerous;

iii. the proposed commercial activity will impact the natural condition of Wascana Centre;

iv. the proposed commercial activity will substantially interfere with the use of all or any part of Wascana Centre by the public;

v. the proposed commercial activity is not consistent with the Act, the regulations, the master plan, this Bylaw, or with the principles mentioned in Commission Bylaw 1: Framework Bylaw;

vi. the proposed commercial activity would contravene any laws of general application; or

vii. it is contrary to the public interest to issue the license applied for.

13 If the Commission rejects an application, it must notify the applicant in writing of the decision and provide reasons.

14 An applicant whose application has been rejected may apply to the Commission to reconsider its decision and may provide the Commission with any additional information or reasons that the applicant considers helpful.

15 On receipt of an application pursuant to section 14, the Commission is to consider the application and may approve or reject it.

16 The Commission may delegate to the chief executive officer any of its powers and duties pursuant this Bylaw, and the exercise by the chief executive officer of those powers and the fulfilment of those duties is deemed to be the exercise and fulfilment by the Commission.

### **Commercial License Terms and Conditions**

17 The Commission may impose any terms and conditions it considers appropriate on the license, including, but not limited to:

- (a) hours of operation of the commercial activity;
  - (b) subject to renewal or extension, the expiry date of license;
  - (c) the commercial activities authorized under the license;
  - (d) an authorization or prohibition of erecting any booth, tent, stall or other structure and the conditions under which it must be erected, maintained and taken down; or
  - (e) setting out any other term or condition that it considers appropriate or in the public interest.
- 18 A commercial activity license holder must abide by the term and conditions of the license.
- 19 No commercial activity license issued is transferable.
- 20 If a permit holder contravenes the terms and conditions imposed on the holder's permit or any laws of general application that apply to the commercial activity, the Commission may cancel the license after providing written notice to the holder along with reasons for the proposed cancellation.
- 21 Notwithstanding section 20, if the Commission considers it urgent and in the public interest, the Commission may immediately cancel a holder's license, but, if it does so, shall provide the holder with written reasons for its cancellation.

### **Expiry and renewal of licenses**

- 22 Commercial activity licenses shall not be issued for a period greater than 365 days.
- 23 Not less than two (2) business days before a license is to expire, the holder of a license may apply to have the license renewed and, on receipt of an application to renew, the Commission may:
- (a) renew the license; or
  - (b) not renew the license if the Commission considers that it is not consistent with the Act, the regulations, the master plan, this Bylaw, or is not in the public interest.
- 24 If the Commission decides not to renew a license, it shall provide notice to the holder along with reasons for its decision.

## Commercial License Suspension and Cancellation

- 25 A commercial license may be suspended or cancelled by the Commission if the applicant:
- (a) provided false information in the application;
  - (b) fails to comply with the direction of the Commission during an inspection;
  - (c) engages in an activity that is not authorized under the license or that is deemed to breach the Act, master plan, any bylaw of the Commission, or any law;
  - (d) interferes with the use of Wascana Centre by the public; or
  - (e) otherwise breaches a term and condition of the license.
- 26 If the Commission determines that a license is to be suspended or cancelled:
- (a) the Commission shall provide the license holder with forty-eight (48) hours of notice of the suspension and cancellation in writing;
  - (b) the license holder may, during the forty-eight (48) hour notice period, provide information to the Commission that the license holder wishes to provide, otherwise the suspension or cancellation becomes effective at the time provided in the original notice;
  - (c) if information is provided by the license holder, the Commission must:
    - i. consider the information;
    - ii. provide further written notice to the license holder whether the suspension or cancellation will proceed and become effective at the time provided in the original notice or an alternative effective time; and
    - iii. provide reasons for that determination.
- 27 If the Commission determines there is a danger to the public or Wascana Centre, then the Commission may provide written notice of the immediate suspension or cancellation of a license and that suspension or cancellation is effective upon the notice being provided to the license holder:
- (a) following the immediate suspension or cancellation, the license holder will be provided with five (5) business days to provide information to the Commission as the license holder wishes, otherwise the suspension or cancellation remains effective;
  - (b) if information is provided by the commercial license holder, then the Commission must:

- iv. consider the information;
  - v. provide further written notice to the license holder whether the license will continue to be cancelled or suspended; and
  - vi. provide reasons for that determination.
- 28 If a license is suspended for any reason, the original notice provided must state the period of suspension, and the license shall automatically resume at the conclusion of the suspension period.

### **Amendments of License**


- 29 A license, including its terms and conditions, may be amended at the request of the license holder or at the discretion of the Commission. Notice of any amendment will be provided to the license holder. If the terms and conditions of a license are amended at the discretion of the Commission, then the Commission shall notify the license holder of the reasons for amendment.

### **Enforcement**

- 30 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.

### **Repeal**

- 31 This Bylaw repeals Bylaw 8: Licensing of Commercial Activities Bylaw of the Wascana Centre Authority dated, July 17, 2018.

 <b>Provincial Capital Commission</b> Wascana Centre   Government House	<b>ENFORCEMENT BYLAW</b>	
<u>Section:</u> N/A	<u>Bylaw#</u> 5	<u>Version#</u> 3
<b>Effective Date:</b> June 10, 2022		<b>Replaces:</b> V.2, February 22, 2022
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is to describe the authority under which the Provincial Capital Commission (Commission) may enforce bylaws and the penalties that a person may be subject to for committing an offence under the bylaws.

**Authority:**

- 2 Subsection 4-1(1) of *The Provincial Capital Commission Act (Act)*, provides the Commission with the authority to make bylaws respecting Wascana Centre. Subsection 4-1(6) of the Act, provides the Commission with the authority to enforce bylaws in the same manner that the City of Regina may enforce bylaws pursuant to *The Cities Act*.

**Scope and Application:**

- 3 This bylaw applies to any person who contravenes or fails to comply with any of the provisions of the bylaws of the Commission.

**Definitions:**

- 4 n/a

**Enforcement**

- 5 Pursuant to section 337 of *The Cities Act*:
  - (a) The Commission may appoint bylaw enforcement officers for the purpose of enforcing any bylaw.
  - (b) Bylaw enforcement officers appointed by the Commission may represent the Commission before a justice of the peace or provincial court judge in the prosecution of anyone who is charged with a contravention of a bylaw.

6 The Commission may partner with the Regina Police Service or any other law enforcement agency to enforce any bylaw.

7 No person shall:

(a) contravene or fail to comply with a provision of this Bylaw or any other bylaw of the Commission; or

(b) being a permit or commercial license holder, contravene or fail to comply with the terms and conditions of the permit or commercial license issued to the holder.

8 Every person who contravenes section 7 is guilty of an offence and is liable on summary conviction to:

(a) in the case of an individual, a fine of not more than \$10,000, to imprisonment for not more than one year, or to both;

(b) in the case of a corporation, a fine of not more than \$25,000; and

(c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 for each day or part of a day during which the offence continues

or, in the case of a contravention of Commission Bylaw 9: Land Use and Development, to the penalties specified in section 7-8 of the Act.

9 The Commission may provide a person issued a fine with the option to voluntarily pay the fine prior to a specific date to avoid prosecution for a contravention of a bylaw.

10 The Commission may reduce the amount of a payment owing to the Commission if the payment is received within a prescribed period after the issuance of a fine.

11 If a corporation commits an offence described in this section, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in section 9 in the case of individuals, whether or not the corporation has been prosecuted or convicted.



## ANIMAL CONTROL BYLAW

Section: N/A

Bylaw# 6

Version# 1

**Effective Date:** February 22, 2022

**Replaces:** WCA Bylaw 3, s. 3B

**Approved By:**

**Provincial Capital Commission, Board of Directors**

### **Purpose:**

- 1 The purpose of this Bylaw is to promote the safety, health, and welfare of people and the protection of people, animals, and property in Wascana Centre, and to ensure the humane treatment of animals.

### **Authority:**

- 2 This Bylaw is authorized by subsection 4-1(1)(l) of *The Provincial Capital Commission Act* (Act) which authorizes the Provincial Capital Commission (Commission) to establish bylaws prohibiting the keeping, or controlling the use or manner of keeping horses, dogs, and other animals in Wascana Centre.

### **Scope and Application:**

- 3 This Bylaw applies to animal owners who keep and have custody and care over dogs, cats, horses, and other animals in Wascana Centre, and to other persons who use Wascana Centre.

### **Definitions:**

- 4 In this Bylaw:

(a) **Animal:** means any mammal excluding humans, or any reptile, bird, fish, or amphibian.

(b) **Animal Owner:** includes:

- i. a person who keeps, possesses, or harbours an animal to which this Bylaw applies and includes a handler of an animal; and
- ii. the person responsible for the custody of a minor where the minor is the owner of the animal to which this Bylaw applies.



(c) **At large:** means being on:

- i. public property unaccompanied by any person;
- ii. public property accompanied by a person but not under the complete control of a person by means of a leash, or by placing in a crate, cage, or other appropriate storage unit; or
- iii. private property without the permission of the owner or occupant of the property.

(d) **Muzzle:** means a device of sufficient strength placed over an animal's mouth to prevent it from biting.

(e) **Service Animal:** means an animal with specialized training used to assist persons with disabilities, and may include a guide dog, a hearing dog, an assist dog, a social signal dog, a seizure response dog, or a psychiatric service animal.

### **Licensing of Animals**

- 5 Every owner of a dog or cat shall ensure that the dog or cat is licensed by the City of Regina or other municipality, has an identification tag, and wears the identification tag around its neck prior to the entry into Wascana Centre.
- 6 Every service animal that enters Wascana Centre and provides assistance to a person with disabilities must be licensed as a service animal in accordance with any provincial legislation or regulations.

### **Control of Animals**

- 7 An animal owner shall not allow his or her animal to be at large at any time in Wascana Centre and shall have complete control of their animal by physical means at all times.
- 8 Any person eighteen years of age or older may restrain an animal found at large in Wascana Centre and convey the animal to an animal shelter.

### **Animal Events**

- 9 Notwithstanding section 7, the Commission may grant an exemption of the application of this Bylaw for a permitted animal event, such as dog agility, or another controlled animal event where the animals involved in that event will not be considered at large, as long as the animal owner meets all of the following requirements:

- (a) the animal owner ensures the animal remains in the designated event area while it is not on leash or in a crate, cage, or other appropriate storage unit;
  - (b) the animal owner uses any designated location in accordance with the periods of time and hours of the event;
  - (c) the animal owner has complete control of the animal by either physical or verbal means at all times;
  - (d) the animal has not been designated a dangerous animal; and
  - (e) the animal does not display any signs of aggressive behavior.
- 10 The organizer of an animal event in section 9 shall apply for a permit according to Bylaw 2: Permits.
- 11 If a permit is granted for an animal event, the area designated in Wascana Centre for the animal event shall be a restricted area with access to the general public available only through the purchase of tickets or invitation.

### **Nuisances**

- 12 Where an animal has defecated in Wascana Centre on public property, or private property without the consent of the owner of the property, the owner of the animal shall immediately remove the defecation and properly dispose of it in designated refuse containers.

### **Dangerous Animals**

- 13 Every owner of an animal that has been found by a judge to be a dangerous animal shall ensure that the animal is licensed as a dangerous animal by the City of Regina, or other municipality prior to entry into Wascana Centre. The owner of the dangerous animal shall ensure that the animal wears its current dangerous license tag at all times while in Wascana Centre.
- 14 An animal that has been determined to be a dangerous animal by a judge shall only be allowed in Wascana Centre if the owner of a dangerous animal complies at all times with the terms of any dangerous animal designation order. The owner of a dangerous animal must supply a copy of any designation order to a Commission official upon request.
- 15 A dangerous animal within Wascana Centre shall be controlled as required by the terms of any dangerous animal designation order. The animal owner shall have full control of the animal at all times while within Wascana Centre, and ensure the animal is, at all times, secured by an appropriate leash and muzzle or in a crate, cage, or appropriate storage unit.


- 16 If a bylaw enforcement officer forms a reasonable belief that the owner of a dangerous animal has failed to comply with the terms of a dangerous animal designation order, or the owner is not in full control of the animal, then the officer may direct the owner of a dangerous animal to remove the animal from Wascana Centre.
- 17 Any person who does not comply with an order or part of an order issued with respect to dangerous animals, or a direction of a bylaw enforcement officer to remove an animal is guilty of a bylaw offence.
- 18 Any person who owns an animal that, without provocation, attacks, assaults, wounds, bites, injures, or kills a person or domestic animal, is guilty of a bylaw offense.

### **Enforcement**

- 19 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw

### **Repeal**

This Bylaw repeals Bylaw 3: Conduct of Persons, s. 3B of the Wascana Centre Authority dated July 17, 2018.

 <b>Provincial Capital Commission</b> Wascana Centre   Government House	<h1>NOISE BYLAW</h1>	
<u>Section:</u> N/A	<u>Bylaw#</u> 7	<u>Version#</u> 1
<b>Effective Date:</b> June 10, 2022		<b>Replaces:</b> WCA Bylaw 20
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is to regulate and prevent any loud and excessive noise that is likely to disturb any reasonable person in Wascana Centre or in areas immediately adjacent to Wascana Centre.

**Authority:**

- 2 This Bylaw is authorized by subsection 4-1(1)(k) of *The Provincial Capital Commission Act* which authorizes the Provincial Capital Commission (Commission) to establish bylaws prohibiting the making of unnecessary noise.

**Scope and Application:**

- 3 This Bylaw applies to all persons who conduct activities within Wascana Centre.

**Definitions:**

- 4 n/a

**General Prohibitions**

- 5 No person shall make, continue, cause, or permit to be made or continued, any unreasonably loud or excessive noise in Wascana Centre likely to disturb any reasonable person in Wascana Centre or in areas immediately adjacent to Wascana Centre.
- 6 Factors determining whether a sound is an unreasonably loud or excessive noise likely to disturb any reasonable person include, but are not limited to, the following:
  - (a) land use of the surrounding area, including the proximity of the sound to any residential use or other use containing sleeping quarters;
  - (b) whether a sound is plainly audible across the property line from which the sound emanates;
  - (c) time of day and day of the week;

- (d) duration;
- (e) volume;
- (f) type or nature of the sound;
- (g) the frequency or persistence of occurrence;
- (h) the nature of the activity from which the sound emanates; and
- (i) any other relevant factor.

## **Specific Restrictions**

### Land Use Noises

- 7 Subject to subsection 6, no person shall cause or permit to be made or continued any noise that exceeds 70dBA (between 7:00am-10:00pm) or 65 dBA (between 10:00pm-7:00am) for a cumulative period greater than 15 minutes in any hour as measured using a Type 2 sound level meter at 1.2 metres above the ground level surface.
- 8 The following noises shall be exempt from section 7:
  - (a) noises from authorized construction or maintenance activities between 7:00am and 10:00pm; and
  - (b) noises from safety signals, emergency vehicles and equipment, warning devices and emergency pressure release valves.

### Motor Vehicles

- 9 No person shall create loud unusual or unnecessary noise in the operation of a motor vehicle upon a road, street, bridge, highway, lane, alley, square, or public place within Wascana Centre whether the noise is caused by the mechanical condition of the motor vehicle or the manner which the motor vehicle is operated and whether or not the vehicle is stationary or moving at the time the noise is created.
- 10 No person shall use a motor vehicle air horn, signaling device, warning system, or siren that emits or causes to be emitted any loud, unusual, or unnecessary noise, or noises which annoy, disturb, injure, endanger, or detract from the comfort, repose, health, peace or safety of others, unless otherwise authorized by *The Traffic Safety Act* or regulations.

### Public Events and Commercial Uses

- 11 Except where an authorized permit or commercial license allows, no person shall use a loudspeaker or other device for the amplification of sound for any purpose in a public place or for commercial purposes:
  - (a) upon any road, street, bridge, highway, lane, alley, square, or public place within Wascana Centre; or
  - (b) in any building or place from which the sound is or is intended to be audible to people on the adjacent road, street, bridge, highway, lane, alley, square, or public place.
- 12 Except where an authorized commercial license allows, no person shall advertise any event, merchandise, engage in any commercial activity, or solicit a person for monetary gain by calling aloud, ringing bells, or playing any type of musical instrument in any part of Wascana Centre.

### Industrial and Commercial Noises

- 13 No person shall load or unload motor trucks in an area within 100 meters of a residential area between the hours of ten (10:00) o'clock in the evening and seven (7:00) o'clock in the morning.
- 14 No person shall carry on construction in an area within 100 meters of a residential area between the hours of ten (10:00) o'clock in the evening and seven (7:00) o'clock in the morning which involves hammering, sawing, or the use of any mechanical tools or equipment capable of creating a sound which may be heard beyond the boundaries of the site on which the activity is being carried on.

### **Exceptions**

- 15 Notwithstanding the provisions of this Bylaw, this Bylaw does not apply to a person who emits or causes to be emitted noise in conjunction with any:
  - (a) work carried on by the Commission, its agents, contractors, or employees;
  - (b) work carried on by a participating party, its agents, contractors, or employees that is of an urgent or emergency nature;
  - (c) outdoor events or activities that are, subject to any applicable bylaws or policies of the Commission, authorized on lands owned by a participating party;
  - (d) events or activities authorized by the Commission;
  - (e) constitutionally protected activity where that activity is authorized by a permit granted by the Commission according to Bylaw 2: Permits; or

(f) snow removal by mechanical means from parking lots used in conjunction with commercial, educational, or institutional establishments where the operation is pursuant to the terms of a contract with the Commission or a participating party.

16 Notwithstanding any of the provisions of this Bylaw, the Bylaw does not apply to any person who emits or causes the emission of noise in connection with any life-saving duty or responsibility or any person acting in an emergency situation.

### **Enforcement**

17 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.

### **Repeal**

18 This Bylaw repeals Bylaw 20: Reference to City Bylaw No. 6980 Re Noise of the Wascana Centre Authority dated July 17, 2018.



## TRAFFIC AND PARKING BYLAW

Section: N/A

Bylaw# 8

Version# 1

**Effective Date:** June 10, 2022

**Replaces:** WCA Bylaws 9, 10, 11, 12, 13, 14, 17, 18, 19, 20

**Approved By:** Provincial Capital Commission, Board of Directors

### Purpose:

- 1 The purpose of this Bylaw is to control traffic, including the regulating of speed and parking of vehicles in Wascana Centre.

### Authority:

- 2 This Bylaw has been created under subsections 4-1(1)(b), 4-1(1)(c), and 4-1(1)(d) of *The Provincial Capital Commission Act* (Act) which authorizes the Provincial Capital Commission (Commission) to establish bylaws to control traffic, including the regulating of speed and parking of vehicles; remove or cause the removal of any vehicle or boat; impound or store any vehicle or boat; and provide for the recovery of the cost of removing, impounding, and storing a vehicle or boat.

### Scope and Application:

- 3 Pursuant to subsection 4-1(5) of the Act, provisions of the City of Regina Traffic Bylaw are in force and in effect within Wascana Centre to the extent that they do not conflict with this Bylaw. For greater clarity, sections 55-65 of the City of Regina Traffic Bylaw do not apply to Wascana Centre.
- 4 Pursuant to section 4-2 of the Act, this Bylaw shall not apply to parking throughout that portion of Wascana Centre consisting of university land.

### Definitions:

- 5 In this Bylaw:
  - (a) **Boat:** means any type of water-craft used to transport people or cargo, and includes motorized and non-motorized boats.
  - (b) **City of Regina Traffic Bylaw:** means Bylaw No. 990 of the City of Regina, as amended or replaced from time to time.



- (c) **Parking Privileges:** means the right to park a vehicle in a parking stall, pay parking zone, or parking lot by virtue of having purchased time to so park through a parking meter, from a pay parking station, or through an electronic payment system.
- (d) **Parking Stall:** means a portion of a public highway or an area indicated by a meter, signs, markings, physical barrier, or any of these as a parking space for a vehicle.
- (e) **Pay Parking Zone:** means that portion of a parking lot, or an area designated by a meter, parking pay station, parking signage, or other designation for the purpose of parking vehicles for a fee.
- (f) **Scenic Drive:** means the public highways marked as scenic drives under Principle 10 of the Master Plan.
- (g) **Vehicle:** means a device in, on or by which a person or thing is or may be transported or drawn on a road, street, bridge, highway, land, alley, or square and includes agricultural implements but not bicycles, and, for the purpose of parking and stopping restrictions, includes any portion of a vehicle.

### **Closure of Roads**

- 6 Pursuant to section 7-23(2) of the Act, the Executive Director of the Commission is designated as the person who may regulate or prohibit vehicular or pedestrian traffic within Wascana Centre. The Executive Director shall have the right to determine the matters required, permitted, or authorized in and by section 7-23 of the Act and this Bylaw.
- 7 No person in Wascana Centre shall:
  - (a) operate a vehicle on any road, street, bridge, highway, lane, alley, square, or public place temporarily closed to vehicular traffic; or
  - (b) park or stop a vehicle on any road, street, bridge, highway, land, alley, square, or public place where parking or stopping is temporarily restricted.
- 8 Notwithstanding any provision of this Bylaw, the Chief of Police for the City of Regina or delegate or bylaw enforcement officer may direct traffic within Wascana Centre in cases of fire, accidents, traffic congestion, or other emergencies.

### **Temporary Street Permits**

- 9 No person shall occupy any road, street, bridge, highway, lane, alley, square, public place, parking stalls, or designated pay parking zones or cause any encroachment or obstruction thereon.
- 10 Notwithstanding section 9, the Commission may issue a permit for the temporary use of a road, street, bridge, highway, lane, alley, square, or public place.

- 11 A permit application under section 10 must be submitted using the application form and providing the information specified in Commission Bylaw 2: Permits.

### **Speed Limits**

- 12 No person shall drive a vehicle within Wascana Centre at a speed greater than forty (40) kilometres per hour.
- 13 Notwithstanding section 12, the Commission may fix a speed limit other than forty (40) kilometres per hour on any public highway or portion thereof by erecting signage stating the speed limit.
- 14 Subsections 12 and 13 do not apply to the following public highways or extensions thereof:
- (a) Broad Street;
  - (b) Wascana Parkway;
  - (c) the north-west side of the intersection between Wascana Parkway and No. 1 Highway Bypass; or
  - (d) Assiniboine Avenue Overpass Entrance Ramp.

### **Vehicles**

- 15 Except as authorized by the Commission, no person shall operate any vehicle within Wascana Centre, except:
- (a) on a public highway or designated roads, streets, bridges, lanes, or alleys;
  - (b) in an authorized parking area;
  - (c) while lawfully engaged in construction or maintenance work; or
  - (d) in a garage, vehicle maintenance, or assembly area or private driveway intended for the use of a vehicle.
- 16 Trucks utilized by personnel authorized by the Commission or a participating party for construction, improvement, or maintenance of land or public highways, or the delivery of goods within Wascana Centre may pass over a scenic drive if necessary for the work.

## **Parking**

- 17 Parking of a vehicle is permitted on a public highway in an area where parking is not otherwise prohibited or restricted, and does not block the reasonable flow of vehicular and pedestrian traffic, or in other designated areas in Wascana Centre.
- 18 Vehicles may be parked in designated:
  - (a) parking stalls;
  - (b) parking lots; and
  - (c) pay parking zones

providing that the time limit on parking signage or parking privilege is observed and the applicable fee for a permit or parking privilege is paid. Permitted vehicles may be parked as designated in or on the permit or the parking privilege.
- 19 No person shall park a vehicle in a manner that takes up, interferes, or obstructs more than one parking stall.
- 20 Except as authorized by a signage or a permit, no person shall park a vehicle or mobile home for more than 24 consecutive hours or camp and stay in a vehicle overnight.
- 21 No person shall park a vehicle in a parking stall, a parking lot, or a pay parking zone beyond the time limit specified:
  - (a) by the parking signage;
  - (b) the time specified on the valid permit for the location; or
  - (c) the parking privileges paid for and obtained for the location, as the case may be.
- 22 No person shall park a vehicle in any time-limited pay parking zone for more than the daily time-limit.
- 23 No person shall park their vehicle in a parking stall or a parking zone marked by signs as reserved for persons with disabilities without a valid disability parking permit issued by the Saskatchewan Abilities Council or another agency of governmental jurisdiction recognized to have issuing authority.

## **Pay Parking and Parking Permits**

- 24 Pay parking is available in Wascana Centre in designated:

- (a) parking stalls and parking lots pursuant to a permit or parking privilege; and
  - (b) pay parking zones pursuant to a permit or parking privileges obtained through use of a parking pay station, a parking meter, or an electronic payment system.
- 25 Permits or parking privileges are subject to fees established from time to time as published by the Commission or as indicated on or in the applicable parking signage, parking pay station, parking meter, or electronic payment station.
- 26 The Commission will administer and issue permits and parking privileges granting the owner or operator of a vehicle the ability to park in the area designated on the permit or the parking privileges. The authority to administer and issue permits and parking privileges may be delegated in writing by the Commission to other property owners in Wascana Centre.
- 27 If a physical permit is issued to an individual or organization, the permit shall be affixed or so attached to the vehicle according to the instructions printed on the permit or provided with the permit.
- 28 Permits and parking privileges issued to individuals are non-transferable.

### **Impoundment of Vehicles and Boats**

- 29 A bylaw enforcement officer may remove or cause to be removed any vehicle or boat that is unlawfully placed, left, or kept within Wascana Centre and impound or store such boat or vehicle.
- 30 Impounded vehicles or boats shall be stored at a location designated by the Commission.
- 31 The registered owner of the vehicle or boat is liable to the Commission for the actual costs of removal, impounding, and storage and for any fee required to retrieve the vehicle and boat.
- 32 The Commission is not liable for any costs related to impoundment of a vehicle or boat.

### **Enforcement**

- 33 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.

### **Repeal**

- 34 This bylaw repeals Bylaw 9: Traffic, Bylaw 10: Parking, Bylaw 11: Vehicles, Bylaw 12: Direct Traffic, Bylaw 13: City of Regina Traffic, Bylaw 14: Impounding of Boats and Vehicles, Bylaw 17: City of Regina Traffic Bylaw, Bylaw 18: Traffic Signs, and Bylaw 19: Reference to City Traffic Bylaw of the Wascana Centre Authority dated July 17, 2018.




- 7 No person or proponent shall transport, destroy, pull down, or alter a building or structure in Wascana Centre designated as heritage property, or that has been placed on a list of properties with historical significance, unless approval is secured from the Commission according to any bylaws, policies, or procedures established by the Commission.
- 8 If the Commission grants approval under sections 6 or 7, the proponent must abide by any terms or conditions of that approval, including the terms and conditions of any agreements regulating land usage requirements; health and safety standards; and site repair, restoration, and rehabilitation requirements.
- 9 Any change in land use must be approved by the Commission according to any bylaws or policies established by the Commission for this purpose.

### **Enforcement**

- 10 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and is subject to the penalties listed in in subsection 7-8(2) of *The Provincial Capital Commission Act* and as listed in Commission Bylaw 5: Enforcement Bylaw.

### **Repeal:**

This Bylaw repeals Bylaw 21: Preservation of Property, Bylaw 22 Heritage Property Bylaw, and Bylaw 24 Land and Development of the Wascana Centre Authority dated July 17, 2018.

 <b>Provincial Capital Commission</b> Wascana Centre   Government House	<b>PUBLIC USE OF SIGNS BYLAW</b>	
<u>Section:</u> N/A	<u>Bylaw#</u> 10	<u>Version#</u> 1
<b>Effective Date:</b> June 10, 2022		<b>Replaces:</b> WCA Bylaw 23
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is to regulate the use of signs in Wascana Centre in a manner consistent with *The Canadian Charter of Rights and Freedoms*.

**Authority:**

- 2 This Bylaw is established under subsection 4-1(1)(a) of *The Provincial Capital Commission Act* (Act) which permits the Commission to establish bylaws regulating the use of public land.

**Scope and Application:**

- 3 This Bylaw applies to all persons who use, erect, display, post, or affix signs in Wascana Centre.
- 4 Notwithstanding section 3, this Bylaw does not apply to persons who:
  - (a) erect, display, or affix signs located inside a building;
  - (b) hold or are otherwise in control of signs while the signs are in use; or
  - (c) use signs authorized by the Commission through a permitted event, a commercial license, or any other approval process.

**Definitions:**

- 5 In this Bylaw:
  - (a) **Designated Space:** means a location identified in section 8 of this Bylaw at Wascana Centre where a public notice board is constructed.
  - (b) **Event:** includes rallies, marches, activities, or occupancy to express an opinion on a political, social, economic, or religious issue, or any other matter of public concern.
  - (c) **Sign:** means any writing, number, image, picture, emblem, symbol, trademark, flag, banner, pennant, or any other figure of similar character (including graffiti) which:

- i. is a structure, or is attached to, displayed on, or in any manner represented on a building or structure;
- ii. is used as a visual medium to announce, direct attention to, inform, identify or advertise; or
- iii. is intended to be visible from outside a building.

### **Designated Spaces: Public Notice Boards**

- 6 The Commission shall construct and maintain public notice boards for the posting of signs that will be placed at designated spaces in Wascana Centre by the Commission, including:
- (a) Wascana Place;
  - (b) Wascana Marina;
  - (c) Spruce Island Overlook;
  - (d) Saskatchewan Science Centre and Kramer Imax Theatre;
  - (e) Candy Cane Play Area;
  - (f) Canada Games Athletic Complex;
  - (g) University of Regina at four locations:
    - i. northwest corner of the campus, west side of University Drive;
    - ii. east side of the intersection of University Drive South;
    - iii. Wascana Parkway, south side of University Drive;
    - iv. east side of the intersection of Wascana Parkway and Research Drive, south edge of Research Drive; and
  - (h) any other location that the Commission may determine from time.



## Public Use of Signs

- 7 No person shall attach, place, or deposit any leaflets upon any parked vehicle within Wascana Centre.
- 8 No person shall erect, display, post, or affix a sign in Wascana Centre, except in designated spaces on a public notice board unless:
  - (a) a permit is granted by the Commission; or
  - (b) the sign is otherwise approved as part of an improvement under the Commission's Land Use and Development Policy.
- 9 Notwithstanding section 8 of this Bylaw, a person may use a sign as part of an event in Wascana Centre without a permit unless one of the following conditions apply:
  - (a) signs are erected, displayed, posted, or affixed in non-designated spaces and are not in the possession and control of the individual; or
  - (b) the placement of a sign at a specific location may result in damage to property or pose a risk to the health and safety of the public.
- 10 An application for a sign permit under section 8 shall be reviewed in accordance with the principles outlined in the Commission's Framework Bylaw and Permit Bylaw, which seeks to balance competing demands on the use of Wascana Centre, including those arising from the interests protected by *The Canadian Charter of Rights and Freedoms* and other constitutional enactments, to ensure the orderly administration of Wascana Centre for the benefit of the public.

## Monitoring and Removal of Signs

- 11 The Commission shall monitor signs in Wascana Centre and may remove signs where:
  - (a) on a public notice board:
    - i. the event advertised by the sign has passed; or
    - ii. multiple signs from a single individual or organization prevent the use of the public notice board by others;
  - (b) a sign is erected, displayed, posted, or affixed without a valid permit or is in violation of a term and condition of a permit;

- (c) the content or message of the sign violates provincial or federal law and is the subject of a police investigation or violates community standards;
  - (d) the material on the sign is deemed by the Commission to unjustifiably interfere with the orderly administration of Wascana Centre for the benefit of the public; or
  - (e) the sign is not in the personal possession or control of a person.
- 12 A bylaw enforcement officer or other authorized individual may direct an individual to bring the sign into compliance, take possession of the sign, or take any other enforcement action.

### **Damage to Signs and Property Prohibited**


- 13 No person shall remove, damage, or deface:
- (a) a public notice board;
  - (b) signs affixed to a public notice board; or
  - (c) other signs erected, displayed, or affixed in Wascana Centre.
- 14 Signs shall only be removed by authorized individuals or a bylaw enforcement officer.

### **Enforcement**

- 15 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.

### **Repeal**

- 16 This bylaw repeals Bylaw 23: Freedom of Expression of the Wascana Centre Authority dated July 17, 2018.

 <b>Provincial Capital Commission</b> Wascana Centre   Government House	<b>CONSTRUCTION AND BUILDING PERMITS</b>	
<u>Section:</u> N/A	<u>Bylaw#</u> 11	<u>Version#</u> 1
<b>Effective Date:</b> June 10, 2022		<b>Replaces:</b> WCA Bylaw 25
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is for the Provincial Capital Commission to delegate authority to the City of Regina to administer and enforce construction standards in Wascana Centre pursuant to *The Construction Codes Act* (Saskatchewan).

**Authority:**

- 2 This Bylaw is established under the authority of section 17 of *The Construction Codes Act* which requires a local authority to adopt a building bylaw that applies to the administration and enforcement of construction standards.

**Scope and Application:**

- 3 This Bylaw applies to the administration and enforcement of construction and building permits in Wascana Centre and Government House.

**Definitions:**

- 4 In this Bylaw:
  - a. **Wascana Centre** includes Government House
  - b. **owner, building, local authority, and appropriate local authority** have the meaning ascribed under *The Construction Codes Act* and regulations.

**Delegation of Authority**

- 5 Every owner of a building located within Wascana Centre must comply with *The Construction Codes Act* (Saskatchewan), as such is amended or replaced from time to time.
- 6 City of Regina Bylaw 2003-7, and all other City of Regina Bylaws enacted under the authority of *The Uniform Building and Accessibility Standards Act* (Saskatchewan) or *The Construction Codes Act*

(Saskatchewan), as any such bylaw may be amended, supplemented, or replaced from time to time, shall apply to all buildings located within Wascana Centre and Government House.


- 7 The City of Regina shall have the sole and exclusive right, power, and jurisdiction of:
  - a. of a local authority; and
  - b. an appropriate local authorityunder *The Construction Codes Act* (Saskatchewan) in respect of buildings within Wascana Centre.
- 8 The Joint Performance Agreement between the Provincial Capital Commission and City of Regina dated March 3<sup>rd</sup>, 2017 and entered into pursuant to *The Uniform Building and Accessibility Standards Act* (Saskatchewan) continues in force under the transitional provisions of *The Construction Codes Act*.
- 9 All applications of and enforcement under *The Construction Codes Act* (Saskatchewan), including without limiting the generality of the foregoing, any appeals to the Saskatchewan Construction Standards Appeal Board and any judicial appeals or proceedings, shall be undertaken by the City of Regina.
- 10 Nothing in this Bylaw restricts or limits the application of the Land and Development Bylaw of the Commission or any other bylaws applicable to an owner or a building located within Wascana Centre.

### **Enforcement**

- 11 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in section 39 of *The Construction Codes Act*. Pursuant to section 8 of this Bylaw, the City of Regina is responsible for the enforcement of construction standards in Wascana Centre.

### **Repeal**

- 12 This Bylaw repeals Bylaw 25 Construction and Building Permits of the Wascana Centre Authority dated, July 17, 2018.

 <b>Provincial Capital Commission</b> Wascana Centre   Government House	<h1>SMOKING BYLAW</h1>	
<u>Section:</u> N/A	<u>Bylaw#</u> 12	<u>Version#</u> 1
<b>Effective Date:</b> February 22, 2022		<b>Replaces:</b> WCA Bylaw 26
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is regulate smoking and vaping in public places in Wascana Centre.

**Authority:**

- 2 This Bylaw is established under subsection 4-1(1)(j) of *The Provincial Capital Commission Act (Act)* which authorizes the Provincial Capital Commission (Commission) to establish bylaws providing for the preservation of public health and the prevention and spread of disease.

**Scope and Application:**

- 3 This Bylaw applies to all smoking and vaping activity that occurs in public places in Wascana Centre with the exception of any designated smoking places and smoking on university land.
- 4 Smoking on university land is governed by the University of Regina’s Smoke-Free Campus Policy.

**Definitions:**

- 5 In this Bylaw:
  - (a) **Enclosed Public Place:** means all or any part of a building or other enclosed place or conveyance in Wascana Centre to which the public is customarily admitted or invited and includes:
    - i. an outdoor bus shelter;
    - ii. a public building or facility, including any part of a public building or facility that is rented out for private events;
    - iii. a vehicle that is used or made available for public transit or as a commercial vehicle and is used to transport members of the public (but only during any period that the vehicle is made available for hire, including any break period); and
    - iv. a building, enclosed place, or facility owned or leased by a private club that restricts admission to members and guests.

- (b) **Outdoor Public Place:** means any outdoor area located within Wascana Centre owned, controlled, or operated by a participating party or any other person that is open to the public or to which the public is customarily admitted or invited, and includes any outdoor recreational facility, utility easement, floodplain or buffer strip but does not include a sidewalk except during any outdoor public event, in which case a street or sidewalk being used as part of an outdoor public event is no longer excluded.
- (c) **Outdoor Seating Area:** means an outdoor area or structure commonly referred to as a patio, deck, terrace or rooftop, whether enclosed or not, located in Wascana Centre that is open to the public or to which the public is customarily admitted or invited that is operated as part of a restaurant or licensed premises, but does not include an outdoor area or structure made available by a restaurant or licensed premises if
  - i. there is no seating of any kind provided in the area or in the structure;
  - ii. there is no service of any kind provided in the area or in the structure; and
  - iii. there is no food or drink permitted in the area or in the structure at any time.
- (d) **Smoke or Smoking:** means to inhale, exhale, burn, carry or control a lighted cigarette, cigar, pipe, or similar equipment that burns any substance (including cannabis), or generates smoke, and includes the use of a hookah pipe, water pipe or bong.
- (e) **Vape or Vaping:** mean the use of an electronic cigarette, vaporizer, or any other heated smoking equipment used to vaporize any substance whether or not it contains nicotine.

### **Enclosed Public Places**

- 6 No person shall smoke or vape in any enclosed public place in Wascana Centre.
- 7 No person shall smoke or vape within 3 meters outside of any doorway, window, or air intake of an enclosed public place.

### **Outdoor Public Place**

- 8 No person shall smoke or vape in any outdoor public place.

### **Outdoor Public Seating Areas**

- 9 No person shall smoke or vape in an outdoor seating area.
- 10 The owner, lessee, or operator of an outdoor seating area shall ensure that signs indicating that smoking and vaping is prohibited are displayed in a conspicuous location at all entrances to the

outdoor public area and at least one sign in a conspicuous location in each outdoor seating or waiting area.

- 11 Signs required pursuant to section 10 must:
  - (a) be at least 12.7 centimeters x 12.7 centimeters in size;
  - (b) include, in black or red on a white background, the international symbol designating no smoking, with the symbol having a diameter of at least 9 centimeters;
  - (c) include the words: “Smoking and Vaping Prohibited” or “No Smoking or Vaping, or other similar wording, in black on a white background; and
  - (d) be clearly visible.
- 12 The absence of a sign required by sections 10 and 11 does not relieve any person from compliance with section 9 of this Bylaw.
- 13 No owner, lessee, or operator to which section 10 applies shall permit smoking or vaping in that area.

### **Exceptions**

- 14 Nothing in this Bylaw prohibits a person from smoking or vaping for the purposes of traditional spiritual or cultural practices or ceremonies, if smoking or vaping is an integral part of the traditional spiritual or cultural practices or ceremonies being carried out with the consent of the owner, lessee, or operator of that place or authorized under a permit.
- 15 Section 6 does not apply to any places exempted from the application of section 11(2) of *The Tobacco and Vapour Products Control Act*.
- 16 The Commission may consider and approve any further exemption for an outdoor public event within the Centre.


### **Enforcement**

- 17 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.

### **Repeal**

18 This Bylaw repeals Bylaw 26: Smoking of the Wascana Centre Authority, dated July 17, 2018.



 <b>Provincial Capital Commission</b> Wascana Centre   Government House	<h1>FIREWORKS BYLAW</h1>	
<u>Section:</u> N/A	<u>Bylaw#</u> 13	<u>Version#</u> 1
<b>Effective Date:</b> February 22, 2022		<b>Replaces:</b> WCA Bylaw 7
<b>Approved By:</b> Provincial Capital Commission, Board of Directors		

**Purpose:**

- 1 The purpose of this Bylaw is to regulate the use of fireworks and pyrotechnics to protect the health and safety of the public, prevent fire, and safely conduct a fireworks exhibition or a pyrotechnics exhibition in Wascana Centre.

**Authority:**

- 2 This Bylaw is established under the authority of section 4-1(1)(f) of *The Provincial Capital Commission Act* (Act) which permits the Commission, subject to *The Fire Safety Act*, to establish bylaws providing for fire protection and the prevention and extinguishment of fires.

**Scope and Application:**

- 3 This Bylaw applies to all persons who use Wascana Centre, and to all persons who apply for a fireworks exhibition or a pyrotechnics exhibition permit in Wascana Centre. Notwithstanding this Bylaw, nothing prevents the Fire Chief of the City of Regina from providing fire prevention services in Wascana Centre pursuant to *The Fire Safety Act*.

**Definitions:**

- 4 In this Bylaw:
  - (a) **Firecracker:** means any object containing any substance or combination of substances prepared for, capable of, or discharged for the purpose of producing an explosion without a pyrotechnics display, including cannon crackers, firecrackers, mines, squibs, and torpedoes;
  - (b) **Fireworks:** means explosives that are enclosed in any case or contrivance or are otherwise manufactured or adapted for the production of pyrotechnic effects, pyrotechnic signals or sound signals and includes any chemical compound or mechanically mixed preparation of an explosive or of an inflammable nature that is used for the purpose of making such explosives but does not include firecrackers;
  - (c) **Fireworks Exhibition:** means an exhibition of fireworks intended for the entertainment of the general public or in open view of the general public;

- (d) **Fireworks Supervisor:** means a person who has been certified as a Fireworks Supervisor by the Explosives Regulatory Division of Natural Resources Canada;
- (e) **Flying Lantern or Sky Lantern:** means paper or plastic devices containing a candle or other fuel source designed to heat the air in the device so the device will levitate;
- (f) **Pyrotechnician:** means a person who has been certified as a pyrotechnician by the Explosive Regulatory Division of Natural Resources Canada;
- (g) **Pyrotechnics Exhibition:** means an exhibition of pyrotechnic special effects intended for the entertainment of the public, in open view to the general public, or in a place to which the general public may be admitted, and includes places to which admittance to the general public is restricted by age or by invitation;
- (h) **Special Effects Pyrotechnician:** means a person who has been certified as a Special Effects Pyrotechnician by the Explosive Regulatory Division of Natural Resources Canada; or
- (i) **Theatrical User:** means a person who has been certified as a theatrical user by the Explosive Regulatory Division of Natural Resources Canada.

### **Firecrackers, Flying Lanterns, and Sky Lanterns**

- 5 No person shall set off or otherwise use firecrackers within Wascana Centre.
- 6 No person shall launch a flying lantern or sky lantern within the Wascana Centre or allow or permit a flying lantern to be launched from property outside of Wascana Centre, where it is reasonable to expect the lantern may enter the airspace over Wascana Centre. Anyone who launches a flying lantern must make all efforts to prevent the lantern from crossing into Wascana Centre.

### **Setting Off Fireworks and Pyrotechnics**

- 7 No person shall set off any of the following in Wascana Centre:
  - (a) fireworks; or
  - (b) pyrotechnics,unless a fireworks exhibition permit or pyrotechnics exhibition permit has been obtained from the Commission.

### **Approval of Fireworks Exhibitions Permit**

- 8 A fireworks exhibition shall be held only:

- (a) in public places approved by the Commission;
  - (b) at a safe distance from all combustible materials and all highways, overhead wires, buildings, and other structures; and
  - (c) under the supervision of a Fireworks Supervisor.
- 9 An application for a fireworks permit shall be submitted by a Fireworks Supervisor to the Commission not later than 21 days before the intended date of the fireworks exhibition and include the applicable fee.
- 10 Any application for a fireworks permit shall be on the form specified by the Commission:
- 11 The Commission shall review an application submitted for a fireworks exhibition and may approve or refuse the permit based on:
- (a) criteria established in Commission Bylaw 2: Permits; and
  - (b) the recommendation of any government authority, regulating agency or other person or body that the Commission deems appropriate.
- 12 A fireworks permit issued by the Commission will be subject to terms and conditions established by the Commission.
- 13 A fireworks permit may be suspended or cancelled for breach of a term or condition, inadequate provision of fire safety and suppression equipment, a fire ban due to dry weather, or any other danger to property or to public health or safety. The fireworks permit is subject to the suspension and cancellation process in Commission Bylaw 2: Permits.
- 14 A fireworks exhibition shall be conducted in a manner consistent with procedures listed in the most recent Display Fireworks Manual distributed by the Explosives Regulatory Division of Natural Resources Canada.
- 15 All unused fireworks from, and all debris created by, a fireworks exhibition shall be safely removed and disposed of by the responsible Fireworks Supervisor immediately after the exhibition.

### **Approval of Pyrotechnics Exhibition Permit**

- 16 A pyrotechnics exhibition shall be held only:
- (d) in public places approved by the Commission;

- (e) at a safe distance from all combustible materials and all highways, overhead wires, buildings, and other structures; and
  - (f) under the supervision of a Special Effects Pyrotechnician, Pyrotechnician, or Theatrical User.
- 17 An application for a pyrotechnics permit shall be submitted by a Special Effects Pyrotechnician, Pyrotechnician, or Theatrical User to the Commission not later than 21 days before the intended date of the pyrotechnic exhibition and include the applicable fee.
- 18 Any application for a pyrotechnics permit shall be on the form specified by the Commission;
- 19 The Commission shall review an application submitted for a pyrotechnics exhibition and may approve or refuse the permit based on:
- (a) criteria established in Bylaw 2: Permits; and
  - (b) the recommendation of any appropriate government authority or regulating agency or other person or body that the Commission deems appropriate.
- 20 A pyrotechnics permit issued by the Commission will be subject to terms and conditions.
- 21 A pyrotechnics permit may be suspended or cancelled for breach of a term or condition, inadequate provision of fire safety and suppression equipment, a fire ban due to dry weather, or any other danger to property or to public health or safety. The pyrotechnics permit is subject to the suspension and cancellation process in Commission Bylaw 2: Permits.
- 22 A pyrotechnics exhibition shall be conducted in a manner consistent with procedures listed in the most recent Pyrotechnics Special Effects Manual distributed by the Explosives Regulatory Division of Natural Resources Canada.
- 23 All unused pyrotechnic special effects from, and all debris created by, a pyrotechnics exhibition shall be safely removed and disposed of by the Special Effects Pyrotechnician, Pyrotechnician, or Theatrical User immediately after the exhibition.

## **Enforcement**

- 24 If a person contravenes or fails to comply with a provision of this Bylaw that person is guilty of an offence and subject to the penalties listed in Commission Bylaw 5: Enforcement Bylaw.
- 25 This bylaw may be enforced through a services agreement between the Commission and Regina Fire and Protective Services.

**Repeal:**

26 This Bylaw repeals Bylaw 7: Firearms of the Wascana Centre Authority, dated July 17, 2018.