

# Bylaw No. 694-23

CONSUMPTION OF ALCOHOL IN DESIGNATED  
OUTDOOR SPACES BYLAW

White City

Adopted by Town of White City Council on June 29, 2023.

Introduced and read a first time on June 26, 2023.

Read a second time on June 26, 2023.

Read a third time on June 29, 2023.

## BYLAW NO. 694-23

### A BYLAW TO PERMIT THE CONSUMPTION OF BEVERAGE ALCOHOL IN A DESIGNATED OUTDOOR PUBLIC PLACE

Under the authority granted by subsection 107(4) of *The Alcohol and Gaming Regulation Act, 1997*, the Town of White City in the Province of Saskatchewan, by and with the advice and consent of the Town of White City Council, enacts as follows:

#### Title

- 1 This bylaw shall be referred to as the Consumption of Alcohol in Designated Outdoor Spaces Bylaw.

#### Interpretation

- 2 In this bylaw
  - (1) beverage alcohol means an intoxicating substance that may be used as a food or beverage and includes:
    - (a) beer, wine and spirituous, fermented and malt liquor; and
    - (b) any combinations of food or beverages or either of them containing a substance that is intoxicating.
  - (2) Council means the White City Town Council;
  - (3) Designated Officer means a person employed or designated by the Town to enforce the provisions of this bylaw;
  - (4) permitted space means an outdoor public place, or part of a public place, that is Town property and has been designated by Council by this bylaw as a place where beverage alcohol may be consumed but does not include a building, structure, vehicle or other installation within the public place unless otherwise expressly designated by Council in this bylaw;
  - (5) minor means a person under the age of nineteen (19); and
  - (6) Town means the Town of White City.

#### Consumption of Beverage Alcohol in Permitted Spaces

- 3 Outdoor public places, or parts thereof, as described in Schedule A to this bylaw and further identified by signage posted in accordance with this bylaw are hereby designated as permitted spaces where beverage alcohol may be consumed.
- 4 A person who is not a minor may consume beverage alcohol in any permitted space:
  - (1) from May 1 to September 30 of each year;
  - (2) during specific events sanctioned by the Town, including:
    - (a) White City Slo-Pitch League;
    - (b) White City Council Barbeque; and
    - (c) White City Movie in the Park.
  - (3) between thirty (30) minutes prior to the individual event start time and thirty (30) minutes after the event end time.

- (a) Notwithstanding subsection 4(3), consumption of beverage alcohol shall not be permitted before 11:00 a.m. or after 11:00 p.m.
- 5 No minor shall consume, or be in possession of, beverage alcohol in any permitted spaces.
  - 6 No person or entity shall vend, sell, or distribute in any way beverage alcohol to others in the permitted spaces.
  - 7 No beverage alcohol in glass containers shall be allowed in any permitted space.
  - 8 The Town shall post signs setting out the boundaries of any permitted space and the dates and hours during which beverage alcohol may be consumed in the permitted space.
    - (1) Signs shall:
      - (a) be at least 12 inches by 24 inches in size;
      - (b) have at least four (4) signs to designate the boundaries of the permitted space;
      - (c) state the dates and hours that beverage alcohol may be consumed; and
      - (d) be posted on posts or affixed to other items forming the boundary of the permitted space.

#### Enforcement, Offences and Penalties

- 9 Any person who contravenes or fails to comply with any provision of any part of this Bylaw or fails to comply with an order issued by a designated officer, is guilty of an offence and liable on summary conviction to:
  - (1) a fine in the amount of \$500.00; or
  - (2) fines in accordance with Bylaw No. 682-22, *The General Penalty Bylaw*, as adopted, amended or replaced from time to time, by Council.
- 10 When a Designated Officer has reason to believe that a person has contravened any portion of this Bylaw, the designated officer may issue a notice of violation to the person in contravention and/or order the destruction of the beverage alcohol.
- 11 A notice of violation issued in contravention of this bylaw shall indicate that the Town will accept voluntary payments in the sum of fifty percent (50%) to be paid to the Town within fourteen (14) days of the initial date of issuance.
  - (3) Where the Town receives a voluntary payment of the amount prescribed within fourteen (14) days, the person or corporation receiving the notice of violation shall not be liable to prosecution for the alleged contravention.
  - (4) Where the town receives a voluntary payment of the prescribed amount before a summons is issued, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.

12 A person desiring to appeal a conviction pursuant to this Bylaw shall, within seven days of the conviction being appealed from, file a notice of appeal with the Court, and the provisions of Part XXVII of the Criminal Code apply with any necessary modification.

13 A notice of violation may be given or served:

- (1) personally; or
- (2) via Canada Post regular mail to the last known mailing address of the person or corporation being served.

14 Any payment required pursuant to this Bylaw may be made at the Town Office.

Severability

15 Any section, subsection, sentence, clause, phrase or other portion of this bylaw is for any reason held invalid or unconstitutional by a court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the court shall not affect the validity of the remaining portions of the bylaw.

Repeal and Coming into Force

16 This Bylaw shall come into force on the day of adoption by the Town of White City Council.



  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Town Manager

# SCHEDULE A

Area(s) where consumption of beverage alcohol is permitted:

1. Serbu Park

