



# The Wascana Centre Bylaws

*Wascana Centre Authority*  
July 7, 2017

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Wascana Centre Authority

**BYLAWS OF  
WASCANA CENTRE AUTHORITY**

enacted under

**THE WASCANA CENTRE ACT**  
as amended

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I, M. Bernadette McIntyre, Secretary to Wascana Centre Authority, HEREBY CERTIFY that this is a true copy of The Wascana Centre Bylaws which represent resolutions duly passed by Wascana Centre Authority.

I have given and signed this certificate and have affixed the seal of Wascana Centre Authority hereto, pursuant to Subsection (1) of Section 73 of The Wascana Centre Act.

DATED this *9th* day of *December*, A.D. 2016.

Secretary  
Wascana Centre Authority

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**KEY WORD INDEX**

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**KEY WORD INDEX**

**BYLAW**

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Wascana Centre Authority  
**Bylaw 1 - Definitions**

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1. In every bylaw of the Wascana Centre Authority, whether now or hereafter enacted:
  - (a) "authority" means the Wascana Centre Authority;
  - (b) "boat" includes a raft and every kind of craft or vessel used, intended to be used or capable of use for the conveyance on or in water of one or more persons;
  - (c) "centre" means Wascana Centre as defined in *The Wascana Centre Act*, as amended from time to time;
  - (d) "chief of police" means the Chief of Police for the City of Regina;
  - (e) "director" means the Chief Executive Officer of the authority. The authorities bestowed upon the director may be transferred to his or her designate as necessary;
  - (f) "officer" means any member of the Regina City Police Force or any person lawfully entitled to act as a police officer within the centre;
  - (g) "public highway" and "vehicle" respectively mean a highway and a vehicle as defined in The Traffic Safety Act, as amended from time to time;
  - (h) "public land" means "public land" as defined by The Wascana Centre Act, as amended from time to time."
  - (i) "participating party" means a participating party as defined by *The Wascana Centre Act*;
  - (j) "university land" means "university land" as defined by *The Wascana Centre Act*, as amended from time to time.

Wascana Centre Authority  
**Bylaw 2 - University of Regina**

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2. Nothing contained in any bylaw of the authority shall affect the powers of the University of Regina Senate under *The University of Regina Act, 1974*.



Wascana Centre Authority  
**Bylaw 3 - Conduct of Persons**

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3. Except as may be authorized by the authority or the director, either in writing or by an erected sign, no persons shall, save within a building:
  - (a) within the centre cut, pluck, damage or remove any turf, soil, rock, sand or gravel, or the whole or any part of any flower, plant, shrub or tree;
  - (b) start, make or kindle a fire within the centre for any purpose;
  - (c) throw or dump any material of any kind within the centre except in receptacles provided by the authority for that purpose;
  - (d) within the centre injure, move, disturb or destroy any nesting bird, bird's nest or eggs or set any trap or snare or injure, kill, or attempt to kill or have possession of any wild animal or bird;
  - (e) **Repealed**
  - (f) enter or proceed upon grass, lawn, turf, seedbed or other plot or area contrary to a sign of prohibition or restriction erected by or on behalf of the authority;
  - (g) bathe in, wade in or pollute or deposit rubbish in the waters of any fountain within the centre;
  - (h) wash, clean, repair, change the oil of, or otherwise service any vehicle within the centre, except that it shall not be an offence hereunder to carry out emergency repairs to a vehicle where such repairs are reasonably necessary in order to remove the vehicle from the centre;
  - (l) throw any stone or other missile within the centre;
  - (j) ride, drive or lead any horse within the centre except on paths designated by the authority for that purpose or on public highways;
  - (k) ride any bicycle within the centre elsewhere than on drives provided by the authority for such purpose or on public highways;
  - (l) play or engage in any regularly scheduled, organized sports or team game within the centre except in areas provided by the authority for that purpose;
  - (m) operate any model boat within the centre except in areas which may be provided by the authority for that use;
  - (n) engage in any activity within or enter upon and make use of any area that is contrary to a sign prohibiting, restricting or otherwise limiting such activity or use therein or thereon erected by or on behalf of the authority.
  - (o) within the centre, no person shall release or land a hot air or passenger balloon, or operate a radio-controlled, fixed-line-controlled, motorized, or unmanned aerial vehicle or power-launched aircraft, except in areas which may be provided by the authority for that use;
- 3A (a) With reference to the activities described in clauses (j), (k), (l) and (m) of bylaw 3 above, no authorization, whether in writing or by an erected sign, shall excuse or permit the carrying out of any such activities in manner which:
  - (i) is reckless, negligent or dangerous; or
  - (ii) exposes the participants or the public to risk of any harm or injury; or
  - (iii) constitutes a disregard for the welfare or safety of any person.
- (b) Nothing expressed or implied in clauses (j), (k), (l) and (m) of bylaw 3 above shall be taken as requiring the Authority to provide any path, drive or area for any of the purposes described therein.

Wascana Centre Authority  
**Bylaw 3 - Conduct of Persons**

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3B The animal control bylaws for the City of Regina, as they may exist from time to time, shall apply and be enforceable in the centre provided that the authority or director may, from time to time, suspend (temporarily or for an indefinite period of time) the application of those animal control bylaws or certain portions thereof within the centre or within certain areas or places within the centre, on terms and conditions that the authority or the director, as the case may be, may consider appropriate.

Wascana Centre Authority  
**Bylaw 3 - Conduct of Persons**

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- 3C No person shall defecate or urinate in any place on public land, except in a designated washroom facility.

Wascana Centre Authority  
**Bylaw 5 - Swimming**

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5. Save for the purposes of rescue or grave emergency, no person shall swim in the centre except in those areas designated for swimming by the authority or the director and where so designated, subject to all conditions that may be specified by the authority or director.

Wascana Centre Authority  
**Bylaw 6 - Fishing**

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6. Fishing within Wascana Centre is prohibited.

Wascana Centre Authority  
**Bylaw 7 - Firearms**

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7. No person shall discharge or have in his possession in the centre any pistol, revolver, rifle, gun, air-gun, rocket, torpedo, missile-projector, bow and arrow, sling-shot, firecracker or firework, except as may be authorized in writing by the Chief of Police, but nothing herein contained shall prevent the preparation for and the conduct and firing of official ceremonial salutes nor for officers acting in the line of duty..
  
- 7A. Bylaw No. 3941 of the City of Regina, which relates to fireworks displays, as amended or re-enacted from time to time shall apply within the centre together with bylaw 7 of the authority's bylaws provided however that in its application within the centre the said Bylaw No. 3941 shall be limited in extent so that a fireworks display shall not require approval by a resolution of City Council.

**Bylaw 8 - Licensing of Commercial Activities**

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8. (a) In this bylaw, "commercial activity" means the sale of goods or services within the centre which is carried on outside an existing building.
- (b) No person shall carry on any commercial activity unless licensed by the authority to do so.
- (c) The terms and conditions related to the commercial activity shall be as specified by the authority in the issued license. The fee payable by the licensee to the authority shall be set out in the license.
- (d) In the conduct of the commercial activity, the licensee shall comply with the terms and conditions of the license and shall be subject to any restrictions specified in the license. A license may be terminated by the authority if the licensee breaches any of the terms and conditions or of the license or contained in the license.
- (e) Except as may be authorized in writing by the authority or director no person shall erect any booth, tent, stall or other structure for any purpose whatsoever on any land within the Centre.

9. (a) No person shall drive a vehicle within the centre at a speed greater than forty kilometres per hour;
- (b) The authority may fix a maximum speed other than forty kilometres per hour on any public highway or portion thereof within the centre and cause to be erected and maintained at each end of the public highway or portion thereof, and, also, if thought fit by the authority, at intervals along the public highway or portion thereof, signs indicating such maximum speed and thereafter no person shall drive a vehicle on the public highway or portion thereof as lies between any two such erected signs at a speed greater than so indicated and clause (a) hereof shall not apply to any public highway or portion thereof, for which a maximum speed has been fixed under this clause (b).
- (c) No truck shall follow a route passing over any part of a public highway known and indicated by a sign as a scenic drive unless it be for the purpose of the construction, improvement or maintenance of land or a highway within the centre or the collection or delivery of goods within the centre. For the purpose of this clause "truck" means a vehicle designed primarily for some purpose other than the carriage of passengers, unless a certificate of registration has been issued pursuant to *The Traffic Safety Act*, showing such vehicle to have a maximum gross weight not exceeding seven thousand five hundred pounds and unless such vehicle is being operated for the purpose of transporting persons using the recreational facilities of the centre.
- (d) Notwithstanding any other provision in these bylaws to the contrary, the bylaws of Wascana Centre Authority shall impose no speed limit for any vehicle travelling on Broad Street or on Wascana Parkway, and being also on the North West side of the intersection between Wascana Parkway and No. 1 Highway Bypass, and the parcel designated on registered Plan No. 83R68665 and herein referred to as "Assiniboine Avenue Overpass Entrance Ramp", and accordingly, by virtue of subsection 11(4) of The Wascana Centre Act, the speed limit on Broad Street, on Wascana Parkway and on the Assiniboine Avenue Overpass Entrance Ramp (insofar as such street, parkway, and entrance ramp are within the centre and insofar as such street and parkway are on the North West side of the intersection between Wascana Parkway and No. 1 Highway Bypass) and any penalty and procedure or prosecution for any infringement thereof shall be governed by the Traffic Bylaw of the City of Regina and other laws applicable from time to time without reference to The Wascana Centre Act or any bylaw passed thereunder.



10. (a) No person shall within the centre park or leave standing any vehicle except:
  - (i) in an area on a public highway where parking is not otherwise prohibited or restricted and in any event, in a manner that does not block the reasonable flow of vehicular and pedestrian traffic on the said public highway; or
  - (ii) as provided by clause (j) of this bylaw 10; or
  - (iii) on a space provided for him for such purpose and no person shall be deemed to have "a space provided for him" within the meaning of this bylaw unless:
    - (1) such person is the holder of an effective written permit applicable to such space issued by a participating party; and
    - (2) such permit is affixed to the vehicle which is parked or left standing, in such manner as to be clearly and readily visible from the exterior of such vehicle; or
  - (iv) on a space provided for the public for such purpose and in determining the question of whether or not a space is provided for the public it shall be presumed, unless the contrary is proved to the satisfaction of the court trying the case, that no space is provided for the public unless an indication to that effect is given by a sign authorized by the authority, and no such indication shall be deemed given by a sign showing that space is provided, not to the public as a whole, but only to a limited section of the public.
- (b) Notwithstanding the provisions of clause (a) of this bylaw 10, no person shall within the centre park or leave standing any vehicle on a public highway contrary to any sign authorized by the authority indicating that parking is not allowed or is restricted.
- (c) No person shall within the centre park or leave standing any vehicle for more than twenty-four consecutive hours.
- (d) No person shall within the centre park a vehicle or leave it standing so as to block the exit of any vehicle already parked or standing in a space provided for that purpose or so as to obstruct or interfere with the proper use of any remaining space therein by others for parking purposes or so that the vehicle is not wholly within the space provided for the parking of one vehicle as shown by such signs, markings and headers as may be in or about such space.
- (e) No person shall within the centre park or leave standing any vehicle so that any part thereof is within five feet from a private driveway.

- (f) Notwithstanding the provisions of clause (a) of this bylaw 10 a visitor to the centre may, but no other person shall, within the centre, park or leave standing any vehicle in an area indicated or marked by a sign showing "P Visitors" or "Visitors Parking" or words of similar import, and a "visitor to the centre" shall not include a person who parks or leaves standing a vehicle during or for the purpose of his attendance at his ordinary place of employment or livelihood or of his attendance as a student at a place of education.
- (g) Notwithstanding anything in these bylaws, no person shall within the centre park or leave standing any vehicle contrary to any restriction as to time which may be indicated by a sign authorized by the authority.
- (h) Nothing in this bylaw 10 shall prevent a vehicle being parked or left standing within the centre off a public highway with the consent of the lawful occupier or owner of the land on which the vehicle is parked or left standing, provided that such parking or standing is not contrary to or inconsistent with any sign authorized by the authority and provided also that it shall be deemed that no such consent was given unless the contrary be proved to the satisfaction of the court trying the case.
- (j) Metered parking is hereby established and installation of parking meters is hereby authorized wherever a parking meter is or shall be installed within the centre. A parking meter relating to parking off a public highway shall be deemed to indicate that parking is provided subject to compliance with the conditions set forth in clause (k) next hereinafter contained. A parking meter relating to parking on a public highway shall, for the purpose of clause (b) hereof, be deemed a sign authorized by the authority indicating that parking is not allowed save in accordance with and as restricted by clause (k) next hereinafter contained.
- (k) (i) Where parking meters have been installed, every person parking a vehicle shall:
  - (1) Place the vehicle wholly within a parking stall.
  - (2) In addition to complying with any other requirement of the applicable law where there are no parking lines or markings, place the vehicle so that it shall be not more than three (3) feet from the nearest meter post.
  - (3) Upon placing a vehicle in a parking stall forthwith deposit or cause to be deposited in the meter for such parking stall a coin or coins of Canada or the United States of America in an amount as indicated on the meter. Where the word "quarter", "loonie" or "toonie" appears on a meter, it shall mean a 25-cent coin, a one-dollar coin or a two-dollar coin respectively of Canada or the United States of America.

- (ii) Such deposit of a coin or coins shall entitle the driver of a vehicle to leave such vehicle within such parking stall for a period not exceeding the time indicated on the meter after it is put in operation by the deposit of a coin or coins.
- (iii) No person shall park a vehicle at any time where traffic signs indicate no parking or when a meter head is covered with a bag or other cover having the words "no parking" printed thereon.
- (iv) Where the parking meter has a sign on, at or near the meter which indicates the meter is reserved for vehicles of a special kind or for a special class or operators thereof, no person shall there park any other kind of vehicle or, as the case may be, no person shall there park, who is not of that class of operators.
- (l) No person shall deposit or cause to be deposited in a parking meter any slug, device of metal or other substitute for a coin of Canada or the United States of America, or deface, injure, tamper with or impair the usefulness of any parking meter.
- (m) Each parking stall shall be equipped with a parking meter, provided, however, that where double parking meters are used, the parking meter mechanism on the side towards each parking stall shall be the parking meter for that particular stall.
- (n) Every driver of a vehicle in a metered parking area shall enter or leave same in accordance with any directional signs that may be posted in the area.
- (o) If a parking meter has a sign thereon, thereat or nearby indicating that it is applicable at certain times, then at other times the provisions of paragraphs (iii) and (iv) of clause (k) hereof shall not apply.
- (p) The provisions of paragraph (3) of subclause (i) and the provisions of subclauses (ii), (iii) and (iv) of clause (k) hereof shall not apply to a vehicle operated by the Fire Department or the police or to an ambulance.
- (q) Wherever mentioned in clause (k), clause (m) or clause (z) hereof "parking stall" shall mean a portion of a public highway or an area indicated by a meter, signs, markings and a physical barrier, or any of these as a parking space for a vehicle.
- (r) Notwithstanding any references to the contrary in this bylaw, this bylaw shall not apply to that area within the centre where and to the extent that the University of Regina has jurisdiction pursuant to its enabling statute to enact bylaws dealing with parking and related issues, and the reference to Awithin the centre<sup>o</sup> contained in this bylaw shall not apply to any such area which is subject to the University=s jurisdiction as aforesaid.

Wascana Centre Authority  
**Bylaw 10- Parking**

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- (s) Except when authorized in writing by the authority or the director, and subject to the provisions of clause (h) of this bylaw 10, (the provision of which shall be deemed to apply, mutatis mutandis, to a consent of the authority or the director), no person shall park or leave standing anywhere in the centre between the hours of 12:01 o'clock in the morning and 6:00 o'clock in the morning, any motor vehicle, vehicle or trailer which is designed or adapted for or capable of use as living quarters for persons, including the following commonly known types, namely: mobile home, recreational vehicle, camper-van, van incorporating living quarters, tent-trailer, motor home, fifth-wheel and house trailer as well as any similar vehicle or trailer however known or described.
- (t) Notwithstanding the provisions of clause (a) of this bylaw 10, no person shall park a vehicle in any parking stall or zone marked by signs as reserved for the disabled unless the vehicle displays a valid disabled license plate sticker or a disabled placard in the front windshield issued by the Saskatchewan Abilities Council or the Canadian Paraplegic Association.
- (u) Notwithstanding the provisions of clause (a) of this bylaw 10, no person shall stop a vehicle on any public highway designated by signs as a bus stop between those signs or between a sign and the corner of the block in the direction of the arrow displayed on the sign.
- (v) No person shall within the centre park or leave standing any vehicle as promotions or advertising

11. No person shall drive any vehicle within the centre contrary to any order, direction or indication shown by a sign established by the authority.
- 11A. No person shall drive any vehicle within the centre, except:
- (a) on a public highway;
  - (b) while lawfully engaged in construction or maintenance work within the centre;
  - (c) in an authorized parking area;
  - (d) in a garage, a vehicle maintenance or assembly area or a private driveway intended for the use of a vehicle;
  - (e) on land of an owner other than the authority, the Government of Saskatchewan, the City of Regina or the University of Regina;
  - (f) in an area, wherein the authority has given permission for the driving of all vehicles or of all vehicles of a certain class or type, provided that the vehicle driven is of the class or type permitted and that there is compliance with all conditions, if any, subject to which the permission was issued.
- 11B. (a) For all purposes of Section 35.1 of The Wascana Centre Act, the director is hereby designated as the official who may regulate or prohibit vehicular or pedestrian traffic within the centre on all or any portion of a road, street, bridge, highway, lane, alley, square or public place designated or intended for or used by the general public for the passage of vehicles:
- (i) for a temporary period that may be prescribed by the authority or the director;
  - (ii) for any purpose considered necessary by the authority or the director; and
  - (iii) on any terms that may be determined by the authority or the director.
- (b) The director shall have the same right as the authority to determine all matters required, permitted or authorized in and by the said Section 35.1; and he/she may prescribe the temporary period, purpose and terms which shall apply to any regulated or prohibited use of the passageways within the centre at such times as he/she in his discretion shall determine.
- (c) The director shall determine the form and content of any and all signs considered by him/her to be necessary to mark the closure or other restriction applicable to every street, road or other place pursuant to the said Section 35.1 and the nature of the hazards, if any, that would be encountered in its use.

12. An officer may direct traffic within the centre and in cases of fire, accident, traffic congestion or other emergency may direct it into such channels as are necessary to prevent or relieve congestion or give right of way and every person shall obey the direction of an officer directing traffic.

13. (a) Except in so far as it may be inconsistent with the bylaws of the authority, other than this bylaw 13, the provisions of the Traffic Bylaw of the City of Regina, as amended from time to time, shall apply within the centre and the said provisions shall not be deemed inconsistent merely because they impose additional restrictions but only where they are specifically contrary to the bylaws of the authority.
- (b) The owner of a vehicle, other than a public service vehicle as defined in The Traffic Safety Act, is liable for the violation of any provision of these bylaws in connection with the operation of the vehicle, unless he proves to the satisfaction of the judge of the magistrates' courts, provincial magistrate or justice of the peace trying the case that at the time of the violation the vehicle was not being operated by him nor by any other person with his consent, express or implied.
- (c) Where, at the time of a violation of any provisions of these bylaws in connection with the operation of a vehicle, other than a public service vehicle as defined in The Traffic Safety Act, the vehicle was not being operated by the owner of the vehicle, nor by any other person with his consent, express or implied, the person in charge of the vehicle is liable for the violation unless he proves to the satisfaction of the judge of the magistrates' courts, provincial magistrate or justice of the peace trying the case that the vehicle was not being operated by him or by any other person with his consent, express or implied.
- (d) The owner of a public service vehicle, as defined in The Traffic Safety Act, is liable for violation of any provision of these bylaws in connection with the operation of the vehicle whether or not at the time of the offence the vehicle was being operated by him.

**Bylaw 14 - Impounding of Boats and Vehicles**

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14. (a) In addition to any other penalty provided herein any officer may remove or cause to be removed any boat or vehicle that is unlawfully placed, left or kept within the centre and impound or store such boat or vehicle.
- (b) Where an officer has removed, impounded or stored a boat or vehicle pursuant to clause (a) hereof it may be retained in the possession of the authority or of the police at the Regina City Police Garage or at a public garage or at any place designated by the Chief of Police or the director for a period of thirty days from the date of the removal unless the costs of the removal, impounding and storage are sooner paid in which case the boat or vehicle may be released to the owner thereof.
- (c) If the costs of the removal, impounding and storage are not paid within the period of thirty days specified in clause (b) hereof the authority shall have the right to recover same from the owner of the boat or vehicle by:
  - (i) legal action in a court of competent jurisdiction, or
  - (ii) by sale by public auction at least ten days after publication of a notice in a newspaper published in the City of Regina designating the time and place of the sale.
- (d) The costs mentioned in clause (b) hereof shall be the actual cost of the removal, impounding and storage of the boat or vehicle and if such costs are recovered pursuant to clause (c) hereof shall include the cost of advertising and all other expense incurred by the authority in the sale of the boat or vehicle.
- (e) Section 60 of the Traffic Bylaw of the City of Regina shall not apply within the centre.



15. Subject to bylaw 16 any person who contravenes or fails to comply with any of the provisions of a bylaw of the authority is liable to a penalty consistent with similar provincial or municipal penalties and considerate of damages caused, recoverable and enforceable with costs by summary conviction before a judge of the magistrates' courts, provincial magistrate or justice of the peace having jurisdiction in the centre and upon default of payment a person convicted may be committed to jail or to the guardroom of the Royal Canadian Mounted Police force or to a public lock-up for any time determined by the said judge of the magistrates' courts, provincial magistrate or justice of the peace not exceeding thirty days, unless the penalty and costs, including the costs of committal and of the conveyance of the person convicted to the said jail, guardroom or lock-up are sooner paid.
- 15A. The penalties prescribed in bylaw 15 shall not apply to bylaw 20, the penalties for breach thereof being those prescribed in Bylaw 6980 of the City of Regina as amended from time to time, which penalties are hereby imposed and prescribed by this bylaw for the purpose of bylaw 20.
- 15B. The penalties prescribed in bylaw 15 shall not apply to clauses (a) and (b) of bylaw 9, the penalties for breach thereof being those prescribed in *The Summary Offences Procedure Regulations, 1991*, as amended from time to time, which penalties are hereby imposed and prescribed by this bylaw for the purposes of (a) and (b) of bylaw 9.

16. (a) Subject to the provisions of clauses (d) and (e) hereof, where any person has committed or is alleged to have committed a breach of bylaw 10 or is liable for such breach by virtue of bylaw 13, such person shall be liable upon conviction to a penalty consistent with the City of Regina Traffic Bylaw or The Traffic Safety Act. Bylaw 15 shall be applicable provided always that a ticket is in a form approved by the Chief of Police and may be served on such person and such person may, prior to the service of a summons, pay to the City of Regina in lawful money of Canada, the said penalty provided that, if payment is received within 14 days of the issuance of the ticket, the authority has authorized the City Treasurer to exercise the office of accepting a designated reduced payment thereof; and, if the payment is made within such 14 days and accepted, then the person shall not be liable for prosecution for breach of the bylaw.
- (b) Service of such ticket may be made by attaching same to the vehicle or boat in respect of which an offence has been committed or by mailing such ticket addressed to the registered owner of the vehicle concerned, or to the registered owner or owner of the boat concerned, or by personal service on the person who has committed the offence.
- (c) If the person served with such ticket fails to pay the sum specified within the time allowed under clause (a) hereof then the provisions of this section shall no longer apply and the person shall be liable for prosecution for the breach of bylaw as provided by bylaw 15, provided that nothing in this section shall prevent any person served with such ticket from exercising his right to defend in respect of the breach of bylaw therein specified.
- (d) Where any person has committed or is alleged to have committed a breach of bylaw 10 (t) or is liable for such breach by virtue of bylaw 13, such person shall be liable upon conviction to a penalty as established by the City of Regina Traffic Bylaw or The Traffic Safety Act in lieu of the penalty mentioned in bylaw 15, but otherwise bylaw 15 shall be applicable provided always that a ticket in a form to be approved by the Chief of Police may be served on such person and such person may, prior to the service of a summons, pay to the City of Regina in lawful money of Canada, the said penalty provided that, if payment is received within 14 days of the issuance of the ticket, the authority has authorized the City Treasurer to exercise the office of accepting the designated reduced sum in full payment thereof; and, if the payment is made within such 14 days and accepted, then the person shall not be liable for prosecution for breach of the bylaw.

- e) Where any person has committed or is alleged to have committed a breach of bylaw 10 (u) or is liable for such breach by virtue of bylaw 13, such person shall be liable upon conviction to a penalty consistent with the City of Regina Traffic Bylaw or The Traffic Safety Act Bylaw 15 shall be applicable provided always that a ticket is in a form approved by the Chief of Police and may be served on such person and such person may, prior to the service of a summons, pay to the City of Regina in lawful money of Canada, the said penalty provided that, if payment is received within 14 days of the issuance of the ticket, the authority has authorized the City Treasurer to exercise the office of accepting the designated reduced sum in full payment thereof; and, if the payment is made within such 14 days and accepted, then the person shall not be liable for prosecution for the breach of the bylaw.

Wascana Centre Authority  
**Bylaw 17 - City of Regina Traffic Bylaw**

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17. Sections 61, 63 and 64 of the Traffic Bylaw of the City of Regina shall not apply within the centre.

18. (a) A sign established by the authority shall, where applicable, be interpreted in the following manner:

"No" accompanied by an inverted "U" with an arrow head at one end shall be interpreted as an order or direction prohibiting a "U"-turn.

A Capital "X" alone or followed by "Walk" shall be interpreted as an indication of a cross walk.

"No left" shall be interpreted as an order of direction prohibiting a left turn.

"No right" shall be interpreted as an order of direction prohibiting a right turn.

A number within a circle shall be interpreted as an indication of a maximum permitted speed being a speed of such number in kilometres per hour.

A Capital "P" shall be interpreted as a sign permitting parking.

"No P" shall be interpreted as an order or direction prohibiting parking in the area indicated by such sign.

- (b) Every sign existing within the centre shall, for the purpose of enforcing these bylaws, be deemed to be an authorized sign within the meaning of these bylaws lawfully and properly erected and established by the authority unless the contrary is proved to the satisfaction of the court trying the case.

19. Whenever in these bylaws there is a reference to the Traffic Bylaw of the City of Regina as a whole it shall mean the Traffic Bylaw of the said City as it is in force from time to time and wherever in these bylaws there is a reference to a specifically numbered section of the said Traffic Bylaw, it shall mean the section thus numbered at the time when the said reference was enacted in these bylaws only while such numbered section remains in force and thereafter the said reference shall be deemed a reference to the numbered section of the said Traffic Bylaw which is the re-enactment, modification or substitution for the numbered section originally referred to.

20. (a) Except insofar as it may be inconsistent with the bylaws of the authority, Bylaw No. 6980 of the City of Regina, (which bylaw relates to the prohibition, elimination and abatement of certain noise) shall, to the extent permitted by this Bylaw 20 and subject to the modifications herein stated, continue to be applicable within the centre and said provisions shall not be deemed inconsistent merely because they impose additional restrictions but only where they are specifically contrary to the bylaws of the authority.
- (b) In its application to the centre the said Bylaw No. 6980, as amended from time to time, shall be governed by the following modifications thereto which are hereby enacted:
- (i) The reference in section 2(k) of Bylaw No. 6980 to The Liquor Act as "R.S.S. 1978, c. V-3" appears to be in error and is modified by such reference being corrected in its application to the centre as "R.S.S. 1978, c. L-18";
  - (ii) In addition to the exemption contained in section 4(A)(d) of Bylaw No. 6980, such bylaw shall also not apply to work on a street or utility carried on by the authority or by a contractor engaged by the authority;
  - (iii) The prohibition contained in section 5(b) of Bylaw No. 6980 shall not apply to any activity permitted by the authority or on its behalf by the director of the authority
  - iv) All reference in Bylaw No. 6980 to a consent, permit or permission of the City of Regina or of the Chief of Police of the City of Regina, or of his appointee, or of the Director of Buildings and Civic Properties of the City of Regina or of an Inspector shall in every case be deemed to refer to a permit or permission of either the director of the authority or the of the authority, and if such permission be obtained the activity thus permitted shall not be prohibited by Bylaw 6980 within the centre;
  - (v) In addition to the exemption contained in section 7(c) of Bylaw No. 6980, such bylaw shall also not apply to work carried on by the authority or by a contractor carrying out the instructions of the authority and for the purpose of the removal of any doubt on the matter it is declared that instructions of an exigent nature include instructions to carry out snow-clearance;

Wascana Centre Authority  
**Bylaw 20 - Reference to City Bylaw No 6980 Noise**

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- (vi) For the purpose of the removal of any doubt on the matter it is declared that section 8(a) of Bylaw No. 6980 shall not apply to prohibit the discharge of a firearm in the regular course of duty by a special constable appointed pursuant to The Wascana Centre Act and it is further declared that the provisions of the said section 8(a) shall not apply to prohibit the discharge of a firearm if authorized in writing by the Chief of Police or in the course of an official ceremonial salute as permitted by Bylaw 7 of the authority's bylaws
- (vii) All references in these bylaws to Bylaw 6980 of the City of Regina shall be construed as a reference to it as amended from time to time or to any bylaw enacted in its place and all references to a specifically numbered section of it shall mean a reference to the section thus numbered when this bylaw comes into force and while it remains in force after which it shall be deemed a reference to the numbered section which is the re-enactment, modification or substitution thereof or therefor;
- (viii) In addition to the exemption contained in section 9(b)(I) of Bylaw 6980, such bylaw shall not apply to prohibit any activity permitted within the centre by the authority or on its behalf by the director of the authority.



21. a) No building or structure situate within the centre and designated or shown as such building or structure in the subsisting Master Plan of the authority (hereinafter called "approved building"), shall be removed or demolished except in accordance with and subject to all of the provisions of this bylaw.
- (b) Any approved building situate on private land as defined in The Wascana Centre Act which any person proposes to remove or demolish shall, for all purposes, be deemed to be a proposal to make an improvement on such land and the provisions of Sections 15 and 16 of The Wascana Centre Act shall apply thereto.
- (c) No approved building situate on public land within the centre shall be relocated to another site within the centre except in accordance with the provisions of Sections 17, 18, 19, 20, 21 and 22 of The Wascana Centre Act and such proposed relocation shall, for purposes of this bylaw, be deemed to be an improvement under Section 17 of The Wascana Centre Act and the construction of a building under Section 18 of The Wascana Centre Act.
- (d) No participating party, the authority nor any other person shall remove or demolish any approved building situate on either public land or private land without first obtaining a permit for such removal or demolition from the director.
- (e) An application for a removal permit or a demolition permit in respect of an approved building shall set forth the following:
  - (i) a description of such building giving the existing location, construction materials, dimensions, number of rooms and condition of exterior and interior;
  - (ii) a legal description of the existing site;
  - (iii) a legal description of the site to which it is proposed such building be moved;
  - (iv) all required approvals from local and provincial governing bodies and including utility corporations shall be supplied by the applicant prior to the issuance of the permit.
- (f) Every applicant for a removal permit or a demolition permit in respect of an approved building shall:
  - (i) satisfy the director that adequate provision will be made to seal off or remove all water and sewer connections to the property;
  - (ii) arrange for the disconnection or removal of gas, electrical and telephone utilities;
  - (iii) commence and complete the proposed removal or demolition of such approved building in accordance with the conditions relating thereto which appear in the removal permit or demolition permit as the case may be.

Wascana Centre Authority  
**Bylaw 21 - Preservation of Property**

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- (g) No approved building shall be demolished without a demolition permit, the issuance of which shall be further conditional upon the applicant furnishing to the director detailed specifications as to both the manner and method to be employed in demolishing the said building or structure.
- (h) The director shall only issue a removal permit or demolition permit with respect to an approved building after being satisfied that all requirements have been met and all conditions have been satisfied by the applicant provided however that no removal permit or demolition permit shall be issued by the director in respect of any approved building in any of the following circumstances:
  - (i) where the approved building is described and included in a currently subsisting list or inventory approved, established or maintained by the authority or any committee of the authority comprising properties within Wascana Centre having prospective heritage significance;
  - (ii) where the approved building has been accorded a designation as Provincial Heritage Property or Municipal Heritage Property under the provisions of The Heritage Property Act; or
  - (iii) the issuance of a removal permit or a demolition permit for any reason is considered by the director not to be in the interests of the centre provided that the authority shall review the circumstances relating to such determination at its next regularly scheduled meeting and thereafter affirms, alters or reverses the decision of the director.
- (l) Following removal or demolition of an approved building, the property owner shall diligently comply with all written directions or requirements issued by the director which are considered by him reasonably necessary to repair, restore and rehabilitate the affected site and adjacent areas affected thereby, provided that if any landscape construction is determined to be necessary with respect to the rehabilitation of public land, such construction and related maintenance requirements shall proceed in accordance with the requirements of the authority pursuant to The Wascana Centre Act.
- (j) Nothing expressed or implied in this bylaw and no action taken or omitted by the authority or anyone acting on its behalf pursuant to any right or power contained or expressed herein shall give rise to any right or status in any person other than the owner of the fee simple estate of the land on which the affected building or structure is situated to seek through judicial or other proceedings to reverse, alter or otherwise affect any decision, action or other event made, taken or arising from the provisions of this bylaw.

22. (a) Subject to the provisions hereinafter set forth, a participating party may in writing request the authority to consider and, if it sees fit, to concur in the proposed designation of any property, real or personal, situate within the centre as heritage property as that term is defined in The Heritage Property Act (hereinafter referred to as "Heritage Act").
- (b) A request by a participating party to the authority for its concurrence in or a request by the authority for the proposed designation of any property as heritage property within the centre shall be a condition precedent to any designation of heritage property within the centre; and, without the concurrence of or the request by the authority, any such designation shall be of no force or effect.
- (c) A request to the authority for its concurrence in the proposed designation of property within the centre as heritage property shall specify whether the property is proposed to be designated as Provincial Heritage Property or as Municipal Heritage Property as these terms are used in the Heritage Act; and, any proposed designation which is concurred in by the authority may proceed in accordance with the provisions of Part III of the Heritage Act as to Municipal Heritage Property designations and Part IV of the Heritage Act as to Provincial Heritage Property designations.
- (d) With respect to any property, real or personal, situate within the centre, the authority may request either the responsible Minister under the Heritage Act for designation thereof as Provincial Heritage Property or the Council of the City of Regina for designation thereof as Municipal Heritage Property as the authority may determine.
- (e) The authority may constitute and appoint a committee to be known as the "Heritage Property Advisory Committee" (the "Heritage Committee") which shall have authority and responsibility, subject to the provisions of clause (g) of this bylaw, and any other qualifications appearing elsewhere in this bylaw, to review and consider all requests for heritage property designations within the centre and to make such recommendations thereon to the authority as it may determine, "the members of which shall hold office for a term of not more than two years", shall be eligible for reappointment and shall comprise one person to be appointed by each of the participating parties and two persons to be appointed by the authority, none of whom shall be current members of the authority and who shall cease to be eligible as members of the Heritage Committee while serving as members of the authority and may:
- (i) establish such rules of procedure as it shall see fit and appoint one of their number to act as Chairman;
  - (ii) subject to the provisions of sub clause (vii) of this clause (e), conduct such meetings and consider such matters, whether in private or in public, or partly in private and partly in public, as it shall see fit;
  - (iii) engage experts or consultants to assist the Heritage Committee in its review if previously authorized by the authority;

- (iv) with the approval of the Minister under the Heritage Act, refer any matter which it may see fit to the Saskatchewan Heritage Advisory Board constituted under the Heritage Act for such advice and assistance as the said Board is ready, able and willing to provide;
- (v) with the approval of the Council of the City of Regina, refer any matter which it may see fit to the Municipal Heritage Advisory Committee constituted under the Heritage Act for such advice and assistance as the said committee is ready, able and willing to provide;
- (vi) seek the advice or assistance of or consult with any person, firm or corporation, including any person or persons who are employed by or associated with any participating party provided that, in so doing, the authority does not become responsible for any wages, salaries, fees, emoluments or other expenses therefor unless the authority has previously authorized their engagement under sub-clause (iii) of this clause (e);
- (vii) if previously authorized by the authority and if it shall so determine, it shall give public notice of the matter or matters under consideration by the Heritage Committee and provide for such written or oral submissions by any interested party as it shall see fit;
- (viii) receive such compensation for the services provided by members of the Heritage Committee or any one or more of them as the authority may, in its discretion, determine;
- (ix) undertake the preparation of a list or inventory of those buildings or structures within the centre situate on public lands which the Heritage Committee considers to possess heritage significance and prospectively deserving of designation as heritage properties and provide the authority with its recommendations upon and reasons for the contents of such list or inventory which the authority may, in its discretion, accept or reject in whole or in part and subject to a resolution of the authority thereon, such list or inventory of prospective heritage properties shall be known and referred to as "Properties Within Wascana Centre Having Heritage Significance" which the authority shall maintain, amend and utilize as the authority shall consider appropriate; and
- (x) subject to any limitations, restrictions, or directions which may be set by the authority, do any and all such things and consider any and all such matters as it may deem necessary or appropriate in respect of any matter relating to proposed heritage property designations within the centre provided that no expenditure of funds of the authority may have previously authorized by means of an approved budget or specific authorization for such expenditure.

- (f) No building or structure on public land within the centre which is included in the authority's current list of "Properties Within Wascana Centre Having Heritage Significance" shall be removed, relocated nor demolished nor altered in any way, except as to its interior, without the prior approval and consent of the authority which may be subject to any one or more of the following conditions as the authority shall deem appropriate;
  - (i) subject to the provisions of clause (g) of this bylaw, the consideration of the proposal by the Heritage Committee in a manner and form deemed appropriate by the Heritage Committee subject to any terms or conditions specified by the authority;
  - (ii) the securing of an appropriate agreement between the authority and the proponent in regard to the preservation of any perceived heritage characteristics of the property affected by the proposal;
  - (iii) a referral of the request to any provincial or municipal official, board, committee or other person or entity having responsibility for considering and advising upon the matter of heritage properties in relation to the prospective designation thereof under the Heritage Act;
  - (iv) the deletion of any building or structure from the authority's list of "Properties Within Wascana Centre Having Heritage Significance" and the consequential amendment of such list as the authority shall consider appropriate; and
  - (v) take such other lawful step or action or make such lawful determination as the authority shall see fit provided only that it acts in conformity with The Wascana Centre Act and in a manner which is not inconsistent with its own bylaws.
- (g) Subject as herein otherwise provided, the authority shall have the sole right to determine whether a request by any participating party for heritage property designation shall be considered by its Heritage Committee, if one exists, provided that if such determination is made the matter shall only be referred to that committee for its consideration with the prior written approval of the participating party making such request; and if such approval is not given, the authority shall proceed to consider the request for heritage property designation and advise the participating party involved whether or not the authority concurs in the proposed designation of such property as heritage property.

- (h) Any proposal or request for the alteration, demolition or removal of any building or structure situate on public land within the centre which has been designated as a heritage property under The Heritage Act shall, in the first instance, be made to the authority and, in addition to any other referrals by the authority to any other of its committees which the authority is required or permitted to make under the Act, such proposal or request, subject to the provisions of clause (g) of this bylaw which shall apply, mutatis mutandis, shall be referred to the Heritage Committee for its advice and recommendations upon the proposal and thereafter the authority shall make such determination thereon as it shall see fit and subsequently provide a report thereon to the appropriate party under the provisions of The Heritage Act for final disposition.
- (i) Nothing expressed or implied in this bylaw shall be taken or construed as an extension or addition to the primary areas of responsibility or the powers of the authority under The Wascana Centre Act; and, if any provision hereof is found or held by a Court of competent jurisdiction to be beyond the powers of the authority, such provision shall be deleted from this bylaw and the remainder thereof shall remain in effect, mutatis mutandis.
- (j) Insofar as this bylaw constitutes the valid exercise of the powers of the authority under *The Wascana Centre Act*, it shall prevail over any other Act with which it may be in conflict except as otherwise provided in The Wascana Centre Act.

23. The authority, recognizing freedom of expression as a fundamental right in Canada guaranteed under the Canadian Charter of Rights and Freedoms and under The Saskatchewan Human Rights Code, for the purpose of creating additional opportunities for the enhancement of such right in a manner which also recognizes the interest of the general public in maintaining a clean, safe and wholesome environment within the centre hereby enacts as follows:
- (a) The director shall construct and maintain or cause to be constructed and maintained public notice boards with at least three square metres of space available for the posting of notices, bills, posters, signs or other advertisements ("Sign" or "Signs") and shall locate a public notice board in a conspicuous location in each of the places within the centre listed in Schedule "A" to this bylaw;
  - (b) The director shall appoint such persons as he may consider appropriate for the purpose of removing any Sign from a public notice board;
    - (i) where the advertised event is past;
    - (ii) where there is no space left on the public notice board for new signs in which case an appointed person shall attempt to replace as many current signs as possible;
    - (iii) when the sign is the subject of a criminal investigation by Police or the Attorney General concerning false news, fraud, hate literature or obscenity in which case the signs shall be turned over to the investigator or is the subject of a civil action concerning libel;
  - (c) No person shall pull down, damage or deface;
    - (i) a public notice board;
    - (ii) signs lawfully affixed to a public notice board except pursuant to this bylaw;
  - (d) No person shall place, post, affix or attach or cause to be placed, posted, affixed or attached any Sign or Signs within the centre save within a building or upon private land (as defined in The Wascana Centre Act) except as follows:
    - (i) upon a public notice board as provided for in clause (a) hereof;
    - (ii) signage authorized under The Wascana Centre Act or any bylaw of the authority;
    - (iii) In accordance with an authorization in writing by the authority or the director;
  - (e) No person shall deface any building, improvement, fence or other structure within the centre by writing, drawing or posting a sign on the structure (except Signs properly posted on a public notice board) or by other similar means;

- (f) Nothing expressed or implied in this bylaw shall authorize or permit the doing of anything which is contrary to any applicable law of Canada or of the Province of Saskatchewan;
- (g) If any section, subsection, sentence, clause, phrase or other portion of this bylaw is for any reason held invalid or unconstitutional by any 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;
- (h) No person shall litter on any public land (as defined in The Wascana Centre Act) including any public highway within the centre;
- (i) No person shall attach, place or deposit any leaflets upon any parked vehicle within the centre except for tickets issued pursuant to the authority's bylaws for breach of any such bylaws.

#### **SCHEDULE "A" TO BYLAW #23**

Public notice boards, authorized under this bylaw shall be placed at the following locations in the centre:

- i. Bandstand
- ii. Wascana Place
- iii. Wascana Marina
- iv. Spruce Island Overlook
- v. Saskatchewan Science Centre and Kramer Imax Theatre
- vi. Candy Cane Play Area
- vii. Canada Games Athletic Complex - adjacent to the field house and the public washrooms
- viii. University of Regina - Northwest corner of the campus, west side of University Drive
- ix. University of Regina - east side of intersection of University Drive South and Wascana Parkway, south side of University Drive  
University of Regina - east side of intersection of Wascana Parkway and Research Drive, south edge of Research Drive



Wascana Centre Authority  
**Bylaw 24 – Land and Development**

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- 24 (a) Any person that intends to carry on a “commercial activity” (as defined in bylaw 8) within a building or structure located within the centre shall first obtain the authorization and approval of the authority for the conduct of such commercial activity.
- (b) An application for the authorization and approval required by subsection (a) must be made to the authority prior to the commencement of the commercial activity.
- (c) Any person subject to this requirement shall carry on such commercial activity in compliance with any terms and conditions imposed by the authority in the grant of such approval or authorization or as imposed by the authority after the grant of such approval or authorization. Such person shall pay to the authority the fee or fees levied by the authority in respect of such commercial activity.
- (d) An authorization or approval granted by the authority hereunder may be amended by the authority at any time.
- (e) An authorization or approval granted by the authority hereunder may be terminated:
- (i) immediately upon any breach of the terms or conditions of such authorization or approval by the person carrying on the commercial activity;
  - (ii) upon reasonable notice of not less than 30 days where there has not been a breach by the person carrying on the commercial activity.
- (f) Any person intending to proceed with an “improvement” within the meaning of the Act shall apply to the authority for approval of proposed improvement. No improvement shall be undertaken without the prior approval of the authority.
- (g) The authority may from time to time:
- (i) specify the types of improvements that will be considered for approval within the centre;
  - (ii) identify areas within the centre where specified types of improvements will or will not be considered acceptable;
  - (iii) establish the processes, procedures and policies applicable to such proposed improvements and the consideration and approval of such proposed improvements by the authority;
  - (iv) specify the terms and conditions respecting such improvements and the activities undertaken therefrom.
- (h) All improvements and processes relating to such improvements shall comply with:
- (i) the Act;
  - (ii) the **Masterplan**;
  - (iii) these bylaws;
  - (iv) all terms and conditions imposed by the authority with respect to the approval of such improvement and the undertaking of the work required for such improvement.

Wascana Centre Authority  
**Bylaw 24 – Land and Development**

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- (i) The authority may levy fees that are payable in respect of its consideration of the review by the authority of a proposal for an improvement, which shall be payable by the applicant for such approval.
- (j) The authority may levy or assess fees that are payable by the owner or any other party for the existence of the improvement and the activity carried out therefrom, including any fees payable annually to the authority. Such fees shall be payable to the authority by the designated payer, whether it is the owner or any other party.

Wascana Centre Authority  
**Bylaw 25 – Construction and Building Permits**

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- (a) Every owner of a building located within the centre must comply with *The Uniform Building and Accessibility Standards Act* (Saskatchewan), as such is amended or replaced from time to time.
- (b) 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), as any of such may be amended, supplement or replaced from time to time, shall apply to all buildings located within the centre.
- (c) The City of Regina shall have the sole and exclusive right, power and jurisdiction of a local authority under *The Uniform Building and Accessibility Standards Act* (Saskatchewan) in respect of buildings within the centre, and in respect of buildings in the centre, the City of Regina shall have all the powers, jurisdiction and authority of an appropriate local authority under *The Uniform Building and Accessibility Standards Act* (Saskatchewan).
- (d) All applications of and enforcement under *The Uniform Building and Accessibility Standards Act* (Saskatchewan), including without limiting the generality of the foregoing, any appeals to the Saskatchewan Building and Accessibility Standards Appeal Board and any judicial appeals or proceedings, shall be undertaken by the City of Regina.
- (e) Nothing herein restricts or limits the application of the Land and Development Bylaw of the authority or any other bylaws applicable to an owner or a building located within the centre.
- (f) In this bylaw, “owner”, “building”, “local authority”, and “appropriate local authority” have the meaning ascribed thereto under *The Uniform Building and Accessibility Standards Act* (Saskatchewan).

## Definitions

1. In this Bylaw:
  - (a) **“City”** means the City of Regina as a municipal corporation as well as the geographical area, as the context requires;
  - (b) **“enclosed public place”** means all or any part of a building or other enclosed place or conveyance in the 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 within the Centre:
      - (A) is operated, used or made available for public transit or as a commercial vehicle; and
      - (B) 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;
    - (iv) a building, enclosed place or facility owned or leased by a private club that restricts admission to members and guests; and
    - (v) the common areas of all buildings;
  - (c) **“licensed premises”** means any of the following places within the Centre:
    - (i) the portion of a place for which a restaurant permit, tavern permit or special use permit has been issued pursuant to *The Alcohol and Gaming Regulation Act, 1997* or pursuant to any bylaws of the Commission; and
    - (ii) the portion of a tent or other portable shelter used in connection with an event which is open to the public or to which the public is customarily admitted or invited and for which a permit or an endorsement or an extension to an existing permit has been issued pursuant to *The Alcohol and Gaming Regulation Act, 1997* or any bylaws of the Commission;
  - (d) **“outdoor public event”** means any outdoor area within the Centre, including any sidewalk or street around such outdoor area, which is being used for any event, activity or gather to which the public is invited or expected to gather, including but not limited to:
    - i. a market, contest, sporting event, festival, celebration, fair, exhibition or concert; or
    - ii. an outdoor public event held on any property which is licensed or leased to a third party; or

- iii. any event for which a permit, license or other authorization from the Commission is required;
- (e) **“outdoor public place”** means any outdoor area located within the Centre owned, controlled or operated by any 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 street or 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 and will be subject to the restrictions contained in this bylaw;
- (f) **“outdoor recreational facility”** means any outdoor playground, athletic or sport field, spray pad, swimming pool, skating rink, skating area, skate park, picnic area, picnic table, picnic shelter, gazebo, off leash area, outdoor exercise facility, running track, pathways, walkways, trails (whether permanent or not), open-air stadium or other sports facility, hard surface court or athletic field, multi-use pathway or park area located within the Centre;
- (g) **“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 the 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;
- (h) **“owner”** means any owner, lessee, licensee or operator;
- (i) **“pedestrian mall”** means a street or portion thereof or any other area within the Centre that is designated for use by pedestrians and which prohibits or restricts vehicle use on all or any part of its width;
- (j) **“restaurant”** means any of the following places within the Centre:
  - (i) an enclosed public place for which a public eating establishment license has been issued pursuant to *The Public Health Act, 1984*;

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- (ii) the portion of a tent or other portable shelter used in connection with a community event that is open to the public or to which the public is customarily admitted or invited and for which a temporary food service license has been issued pursuant to *The Public Health Act, 1984*; or
  - (iii) a public place in which food is served or sold for the purpose of consumption at the premises and to which the public is customarily admitted or invited, commonly described as a restaurant, café, concession or other similar description;
- (k) **“sidewalk”** means the sidewalk constructed on or adjacent to a part of a street or that portion of a street within the Centre intended primarily for use by pedestrians, but does not include a public square or plaza or any part thereof;
  - (l) **“smoke”** or **“smoking”** means to inhale, exhale, burn, carry or control a lighted cigarette, cigar, pipe, or similar equipment that burns any substance or generates smoke, and includes the use of a hookah pipe, water pipe or bong;
  - (m) **“street”** means any street, alley or other road within the Centre designed and intended for or used by the general public or by persons within the Centre for the passage of vehicles, and includes any area primarily intended to be used for the parking of vehicles and the necessary passageways on that area; but does not include a public square or plaza or any part thereof; and
  - (n) **“vape”** or **“vaping”** means the use of an electronic cigarette, vaporizer, or any other heated smoking equipment used to vaporize any substance whether or not it contains nicotine.

#### **Outdoor Public Seating Areas**

- 2. No person shall smoke or vape in any outdoor seating area.
- 3. The Commission shall erect and maintain signage within the Centre that shall indicate that smoking and vaping is prohibited, such signage to be displayed in conspicuous locations as determined by the Commission.
- 4. Signs required pursuant to section 3 must:
  - (a) be at least 12.7 centimetres x 12.7 centimetres 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 centimetres; and

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- (c) include the words: “Smoking and Vaping Prohibited” or “No Smoking or Vaping”, or other similar wording, in black on a white background.
  5. The absence of a sign as required by sections 3 and 4 does not relieve any person from compliance with section 2 of this Bylaw.
  6. No owner, licensee or lessee of an area to which section 2 applies shall permit smoking or vaping within that area.

#### **Outdoor Public Place**

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

#### **Public Places**

8. No person shall smoke or vape within 10 metres outside of any doorway, window or air intake of an enclosed public place.
9. No person shall smoke or vape in any enclosed public place.

#### **Exemptions**

10. Nothing in this Bylaw prohibits a person from smoking or vaping for the purposes of traditional spiritual or cultural practices or ceremonies conducted within the Centre, 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 of that place and such practises or ceremonies have been permitted by the Commission.
11. The onus to prove that the exemption in section 10 applies shall be on the person alleged to be in violation.
12. Section 9 does not apply to any places exempted from the application of section 11(2) of *The Tobacco Control Act*.
13. The Commission may consider and approve any further exemptions for an outdoor public event, either on a general basis or for specific outdoor public events, within the Centre.

#### **Enforcement**

14. Any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine in an amount not exceeding:
  - (a) Two thousand dollars (\$2,000) in the case of an individual;
  - (b) Five thousand dollars (\$5,000) in the case of a corporation;

## Bylaw 26 – Smoking

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or in default of payment by an individual, by imprisonment for a term of not more than thirty (30) days.

15. For the purpose of enforcement of this Bylaw, members of the City Police Service, any tobacco enforcement officer appointed under *The Tobacco Control Act*, any public health officer appointed under *The Public Health Act, 1994*, and special constables and peace officers (collectively, “designated officers”) may:

(a) enter onto any land within the Centre or building in the Centre a reasonable time to carry out an inspection of such land or building for the purposes of assessing the application of and compliance with this Bylaw;

(b) request anything be produced to assist in the inspection; and

(c) make copies of anything related to the inspection.

16. In the event that any person refuses to allow an inspection as described above or interferes with such inspection, a designated officer may in the name of the Commission apply to a justice of the peace or a provincial court judge for a warrant authorizing a person named in the warrant to:

(a) enter onto any land within the Centre to carry out the inspection authorized by this Bylaw;

(b) search for and seize anything relevant to the subject-matter of the warrant

The justice of the peace or provincial court judge may issue the warrant sought on any terms and conditions that the justice of the peace or provincial court judge considers appropriate.

17. A justice of the peace or provincial court judge may issue a warrant authorizing a designated officer to enter and search any place or premises within the Centre named in the warrant if satisfied by information on the oath of a designated officer that there are reasonable grounds to believe that an offence under this Bylaw has occurred and evidence of that offence is likely to be found in the place or premises. With a warrant issued hereunder, a designated officer may:

(a) enter at any time and search a place or premises named in the warrant;

(b) open and examine any receptacle that a designated officer finds in the place or premises;

(c) require the production of and examine any records, documents or property that a designated officer believes, on reasonable grounds, may contain information related to an offence under this Bylaw;

(d) remove, for the purpose of making copies, any records or documents examined pursuant to this section; and



## Bylaw 26 – Smoking

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- (e) seize and remove from any receptacle, place or premises searched anything that may be evidence of any offence under this Bylaw.
18. If a designated officer finds that a person is contravening this Bylaw, the designated officer may, by written order require the owner of, occupant of, licensee of or person permitted to use of the land, building or structure within the Centre to which the contravention relates to remedy the contravention. Such written order shall be served upon such person.
19. An order pursuant to section 18 shall include notice that an appeal is available and advise how and to whom an appeal is to be directed.
20. An order pursuant to section 18 may:
- (a) direct a person to stop doing any thing or to change the way in which a person is doing a thing;
  - (b) direct a person to take any action or measures necessary to remedy the contravention of this Bylaw and, if necessary, to prevent a re-occurrence of the contravention;
  - (c) provide a time period within which the person must comply with the directions contained in the order;
  - (d) state that if the person does not comply with the directions contained in the order, the Commission make take action or measures set out in the order at the expense of the person or at the Commission's expense, as the case may be.

### Effective Date

21. This Bylaw comes into force on the later of July 15, 2017 or the date of publication of this Bylaw in the Gazette.

**NOTE: Bylaws governing the use of Wascana Centre are subject to change. Please contact the Wascana Centre Authority head office for additional information.**

Where a specific bylaw is not named in this document, the authority will revert to City of Regina bylaws and consider those to be lawful and enforceable within the boundaries of the centre.

In the interests of public safety and enjoyment of the Wascana Centre, these bylaws are provided free of charge by Wascana Centre Authority.



**Published by authorization**

**of**

**Wascana Centre Authority  
Wascana Place  
2900 Wascana Drive  
Box 7111  
Regina SK S4P 3S7  
Canada  
PH: 306-522-3661  
FX: 306-565-2742  
EM: [wca@wascana.ca](mailto:wca@wascana.ca)  
WB: [www.wascana.ca](http://www.wascana.ca)**