

# 2016-007

## TOWN OF CHURCHBRIDGE

### Trespass Bylaw

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The Council of the Town of Churchbridge in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known as the “Trespass Bylaw”.
2. According to *The Trespass to Property Act* trespass is prohibited as follows:

Without the consent of the occupier of a premises, no person who is not acting under a right or authority conferred by law shall:

- (a) enter in or on the premises when entry is prohibited pursuant to *The Trespass to Property Act*;
- (b) engage in an activity in or on the premises if that activity is prohibited by *The Trespass to Property Act*;
- (c) after being requested either orally or in writing by the occupier to leave the premises, fail to leave the premises as soon as is practicable;
- (d) after being requested either orally or in writing by the occupier to stop engaging in an activity in or on the premises, fail to stop the activity as soon as is practicable;
- (e) after leaving the premises pursuant to a request to do so made pursuant to *The Trespass to Property Act*, re-enter the premises; or
- (f) after discontinuing an activity pursuant to a request to do so made pursuant to *The Trespass to Property Act*, resume the activity in or on the premises.

The onus rests on the defendant to prove, on a balance of probabilities, that he or she had the consent of the occupier to enter in or on the premises or to engage in the activity in or on the premises

Entry in or on premises is prohibited if any person:

- (a) enters in or on premises that are the property of another person when a notice respecting the premises is given in accordance with section 3; or
- (b) enters in or on enclosed lands that are the property of another person.

A person found in or on enclosed land is presumed not to have the consent of the occupier to be there

3. Notice is given if:
  - a) orally or in writing;
  - (b) by means of signs posted so that a sign is clearly visible in daylight under normal conditions from the approach to each ordinary point of access to the premises to which the notice applies; or
  - (c) by any other means prescribed in *The Trespass to Property Act*.

A sign that is posted is sufficient for the purpose of giving notice that an activity is prohibited if the sign:

- (a) names that activity and has an oblique line drawn through the name of the activity; or
- (b) shows a graphic representation of that activity and has an oblique line drawn through that representation.

No person, other than the occupier, shall remove, alter or deface signs posted for the purposes of this section.

4. Penalty

Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than \$2,000.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Administrator

Dated: \_\_\_\_\_

Certified a true copy of Bylaw 2016-007

Date Carried on \_\_\_\_\_

Resolution \_\_\_\_\_

\_\_\_\_\_  
Administrator