



Bylaw No. 2021-51

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available from the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

BYLAW NO. 2021-51

THE PROHIBITED BUSINESSES BYLAW, 2021

THE COUNCIL OF THE CITY OF REGINA ENACTS AS FOLLOWS:

Purpose

- 1 The purpose of this Bylaw is to prohibit certain businesses and business activities in the City.

Authority

- 2 The authority for this Bylaw is section 8 of *The Cities Act*.

Definitions

- 3 In this Bylaw:

- (a) **“business”** means “business” as defined in *The Cities Act*;
- (b) **“City”** means the municipal corporation of the City of Regina or where the context requires the geographical area within city limits;
- (c) **“license inspector”** means any person employed with the City in the following positions and includes any designate of that person:
 - (i) City Manager;
 - (ii) Manager, Licensing and Parking Services;
 - (iii) Licensing Coordinator, Licensing and Parking Services; and
 - (iv) Licensing Officer;
- (d) **“person”** includes an individual, proprietorship, partnership, corporation, association, or other legal entity.

Prohibited Businesses

- 4 No person may engage in, offer or operate a business or business activity listed in Schedule “A” to this Bylaw.

Enforcement Officials

- 5 For the purposes of any inspection authorized by this Bylaw, enforcement of this Bylaw and sections 324, 325, 326 and 328 of *The Cities Act*, a Licence Inspector is a designated officer and authorized to inspect premises, enforce this Bylaw and undertake any action authorized pursuant to *The Cities Act*.

Inspections

- 6(1) The inspection of property to determine if this Bylaw is being complied with is hereby authorized.
- (2) Inspections under this Bylaw shall be carried out in accordance with section 324 of *The Cities Act*.
- (3) No person shall obstruct a person who is authorized to conduct an inspection under this section, or a person who is assisting in the inspection.
- (4) If a person refuses to allow or interferes with an inspection authorized by this section, or if a person fails to respond to a reasonable request for access to a property, the City may apply for a warrant authorizing entry in accordance with section 325 of *The Cities Act*.

Offence

- 7 It is an offence to contravene or fail to comply with any provision of this Bylaw.

Fines

- 8 Every person who commits an offence as described in this Bylaw is liable on summary conviction:
- (a) in the case of an individual, to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$10,000 for each day during which the offence continues;
- (b) in the case of a corporation, to a fine not exceeding \$25,000 and, in the case of a continuing offence, to a further fine not exceeding \$25,000 for each day during which the offence continues.

Validity

- 9 A decision by a court that any part of this Bylaw is illegal, void, or unenforceable severs that part from this Bylaw, and is not to affect the balance of the Bylaw.

Coming into Force

10 This Bylaw comes into force on the day of passage.

READ A FIRST TIME THIS 14th DAY OF July 2021.

READ A SECOND TIME THIS 14th DAY OF July 2021.

READ A THIRD TIME AND PASSED THIS 11th DAY OF August 2021.

S. MASTERS
Mayor

J. NICOL
City Clerk (SEAL)

CERTIFIED A TRUE COPY

City Clerk

Schedule “A”

Prohibited Businesses

Business	Definition of Prohibited Activity
Conversion Therapy	<p>“Conversion Therapy” means the following when used for the purpose of changing a person’s sexual orientation, gender identity or gender expression, or for the purpose of repressing or reducing non-heterosexual attraction or non-heterosexual sexual behaviour:</p> <ul style="list-style-type: none"> (a) the offering or provision of counselling or behaviour modification techniques; (b) any other purported treatment, service, practice or the offering or sale of any goods; <p>but does not include those that relate to a person’s exploration and development of an integrated personal identity without favouring any particular sexual orientation, gender identity or gender expression.</p>

ABSTRACT

BYLAW NO. 2021-51

THE PROHIBITED BUSINESSES BYLAW, 2021

PURPOSE: The purpose of this Bylaw is to prohibit certain businesses and business activities in the City.

ABSTRACT: This Bylaw is enacted with the objective of denouncing conversion therapy and protecting persons of all ages from all forms of conversion therapy in the City of Regina. City Council has determined that a prohibition on conversion therapy in the City is necessary to accomplish this objective and is supported by scientific evidence. Scientific evidence has identified that conversion therapy is harmful to persons of all ages and in all forms, whether or not the individual has consented to the treatment. In this respect, the City relies upon various expert statements and studies, including the statement of The Canadian Psychological Association as referenced in *Conversion Therapy in Canada: A guide for legislative action* (Wells, K (2020), as follows: “The Canadian Psychological Association endorses this national guide and opposes any therapy with the goal of repairing, changing, suppressing, or converting an individual’s sexual orientation, gender identity, or gender expression, regardless of age. Conversion therapy, or reparative therapy, refers to any deliberate attempt to change the sexual orientation, gender identity, or gender expression of any person. It can include prayer or religious rites, modification of behaviours, and individual or group counselling. Scientific research does not support the efficacy of conversion or reparative therapy and its associated practices.” In addition, the practice of conversion therapy has been denounced by numerous other medical and government bodies including the Canadian Government, the Canadian Psychological Association, Canadian Pediatric Society and the Canadian Association of Social Workers.

**STATUTORY
AUTHORITY:** Section 8 of *The Cities Act* and in particular, clause 8(3)(d)(i)

MINISTER'S APPROVAL: n/a

PUBLIC HEARING: n/a

PUBLIC NOTICE: Required by sections 101 and 102 of *The Cities Act*. Published on the City webpage, notice board and Leader Post April 3, 2021.

REFERENCE: Community Wellness Committee, April 14, 2021, CWC21-6 and City Council, April 28, 2021, CR21-71

AMENDS/REPEALS: n/a

CLASSIFICATION: Regulatory

INITIATING DIVISION: Office of the City Manager
INITIATING DEPARTMENT: Office of the City Solicitor