

**CITY OF BEAUMONT
BYLAW NUMBER 989-20**

CONVERSION THERAPY PROHIBITION BYLAW

**A BYLAW OF THE CITY OF BEAUMONT IN THE PROVINCE OF ALBERTA TO
PROHIBIT CONVERSION THERAPY**

WHEREAS under section 3(c) of the *Municipal Government Act*, RSA 2000, c. M-26, the purposes of a municipality are to develop and maintain safe and viable communities;

AND WHEREAS Council of the City of Beaumont may pass bylaws respecting the safety, health and welfare of people;

AND WHEREAS Council of the City of Beaumont may, in passing a bylaw, regulate or prohibit, or provide for a system of licenses, permits or approvals, for any development, activity, industry, business or thing, until a license, permit or approval has been granted, which can include terms and conditions, and fines and penalties;

AND WHEREAS Council deems it necessary to provide for the regulation and licensing of all businesses carried on within the municipality;

AND WHEREAS the practice of conversion therapy involves illegitimate and harmful techniques that attempt to change, repress, or discourage a person's sexual orientation, gender identity, or gender expression, or to repress or reduce non-heterosexual attraction or sexual behaviour;

AND WHEREAS the practice of conversion therapy is opposed by several professional associations of medical and counselling experts across Canada;

NOW, THEREFORE, the Council of Beaumont enacts as follows:

1. TITLE

This bylaw shall be cited as the "Conversion Therapy Prohibition Bylaw."

2. DEFINITIONS

"Business" means

- a commercial, merchandising, or industrial activity or undertaking;
- a profession, trade, occupation, calling or employment;
- or an activity providing goods or services;

whether or not-for-profit and however organized or formed, including a co-operative or association of persons.

"City" means The City of Beaumont.

"Officer" means a bylaw enforcement officer appointed by the municipality or a peace officer to the Peace Officer Act, SA 2006, c. P-3.5.

"Person" means an individual human being or a corporation and includes a partnership, an association or group of persons acting in concert unless the context explicitly or by necessary implication otherwise requires.

3. INTERPRETATION

- 3.1 Unless otherwise specified, words used in this Bylaw have the same meaning as defined in the *Municipal Government Act*.
- 3.2 Nothing in this Bylaw relieves a person from complying with any Federal or Provincial law or regulation, other Bylaws or any requirement of any lawful permit, order or license.
- 3.3 Any headings or subheadings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- 3.4 All Schedules attached to this Bylaw shall form part of this Bylaw.
- 3.5 Specific references to laws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.

4. PROHIBITED BUSINESSES

- 4.1 A person must not engage in or operate a business listed in Schedule A.

5. OPERATING AND ADVERTISING

- 5.1 In a prosecution for a contravention of this Bylaw, proof of one transaction in the business or that the business has been advertised is sufficient to establish that a person is engaged in or operates the business.

6. SUMMARY CONVICTION OFFENCE

- 6.1 Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing, or by failing to do any act or thing the person is required to do, is guilty of an offence pursuant to this Bylaw.
- 6.2 The owner of real property, who is registered on title at the Land Titles Office, shall be responsible for any act of a person carrying on business on the premises located on the property that constitutes an offence under this Bylaw, in the same manner and to the same extent as though the act were done by the owner.
- 6.3 For the purposes of this Bylaw, an act by an employee or agent of a person is deemed to be an act of the person if the act occurred in the course of the employee's employment or agency relationship with the person.
- 6.4 If a corporation commits an offence under this Bylaw, every principal, director, manager, officer, employee, or agent of the corporation who authorized, assented to, acquiesced, or participated in the act that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- 6.5 If a partner in a partnership is guilty of an offence under this Bylaw, each partner in the partnership who authorized, assented to, acquiesced, or participated in the act that constitutes the offence is guilty of the offence.
- 6.6 Any person who is convicted of an offence pursuant to subsection (1) is liable on summary conviction to a fine not exceeding TEN THOUSAND (\$10,000.00) DOLLARS and in default of payment of any fine imposed, to a period of imprisonment not exceeding ONE (1) YEAR.

7. SPECIFIED PENALTIES

The specified penalty applicable for an offence under this Bylaw is TEN THOUSAND (\$10,000.00) DOLLARS.

8. ENFORCEMENT

- 8.1 Where an officer believes that a person has contravened any provision of this Bylaw, the officer may commence proceedings against the person by issuing a violation ticket in accordance with the *Provincial Offences Procedure Act*, RSA 2000, c. P-34.
- 8.2 This section shall not prevent an officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedures Act*, or from laying an information in lieu of issuing a violation ticket.

9. EFFECTIVE DATE

This bylaw shall come into force and effect upon receiving third reading and being signed.

READ A FIRST TIME IN COUNCIL ON THIS ____ DAY OF _____, 2020.

READ A SECOND TIME IN COUNCIL ON THIS ____ DAY OF _____, 2020.

READ A THIRD TIME IN COUNCIL ON THIS ____ DAY OF _____, 2020.

Mayor

City Clerk

SCHEDULE A

PROHIBITED BUSINESSES

Business	Prohibited Business Activity
Conversion Therapy	<p>"Conversion therapy" means a practice, treatment, or service designed to change, repress, or discourage a person's sexual orientation, gender identity, or gender expression, or to repress or reduce non-heterosexual attraction or sexual behaviour.</p> <p>For greater certainty, this definition does not include a practice, treatment, or service that relates to a person's social, medical, or legal gender transition; or to a person's non-judgmental exploration and acceptance of their identity or development.</p>