Edmonton Plans to Deal with Aggressive Panhandlers

Edmonton has begun looking for ways to deal with aggressive panhandlers in public places. The Edmonton Police Service is most concerned with a group of 20 or 30 panhandlers who can make as much as \$400 a day, and who police estimate were responsible for 90 percent of complaints filed last year.[1]

Mayor Mandel has suggested looking to Saskatchewan as a model for dealing with the problem.[2]Saskatoon passed a bylaw in 1999 to control and regulate panhandling in public places.[3] The bylaw prohibits panhandling within 10 meters from a bus stop, an automated teller, the doorway to a bank, and from parked cars, including those stopped at traffic lights. The penalties for a violation range from \$100 for a first offence to \$10,000 for repeat offenders. Calgary passed a similar panhandling bylaw, also in 1999, but it limits fines for a violation to \$100.[4] Edmonton police are proposing a fine of \$250.

In the B.C. Supreme Court case Federated Anti-Poverty Groups of BC v. Vancouver (City),[5] similar panhandling legislation was challenged on the grounds that it infringed sections 2(b), 7, and 15 of the Canadian Charter of Rights and Freedoms.[6] However, the B.C. court held that the bylaw did not infringe these sections of the Charter, and upheld the legislation as constitutional.

The proposed Edmonton bylaw is currently being discussed by City Council, but no legislation has yet been drafted.

[1] CBC News, "Some panhandlers making \$400 a day: police" (26 Jan 2009).

^[2] Gordon Kent, "Mayor says Saskatoon's approach worth exploring" *The Edmonton Journal* (20 June 2007).

^[3] The Panhandling Bylaw, City of Saskatoon Bylaw 7850 (10 May 1999).

^[4] Panhandling Bylaw, City of Calgary Bylaw 3M99 (8 March 1999).

^[5] *Federated Anti-Poverty Groups of BC v. Vancouver (City)*, 2002 BCSC 105 (CanLII)..

^[6] *Canadian Charter of Rights and Freedoms*, Part I of the Constitution Act, 1982, being Schedule B to the *Canada Act 1982* (U.K.), 1982, c. 11 (CanLII)