

Regulating the Sale of Bear Spray



Overview

This submission seeks Committee and Administration consideration to regulate the sale and display of bear spray in Saskatoon due to public safety concerns amid increased incidents of discharged and seized bear spray.

| | |
|----------------------------------------------------------------|-----------------------------------|
| Date of Report | Tuesday, December 3, 2024 |
| Report Authors | Cary Tarasoff, Sherry Tarasoff |
| Alignment with Strategic Goals | Quality of Life |
| Advance City Council's Priorities | Community Safety and Well-Being |
| Deliver Excellence in Core Services and Operational Priorities | Quality of Life and Public Safety |

Background

In [March 2024](#), in response to public disturbances involving bear spray across the province, new provincial regulations were introduced to restrict the possession of capsaicin-containing wildlife control products (or 'bear spray') in public urban spaces in Saskatchewan. The regulations would also prohibit defacing or altering bear spray in order to hide or disguise the product's identity. Those charged under the regulations could face potential fines of up to \$100,000.

Searching [news releases](#) from the Saskatoon Police Service (SPS) for 2024, bear spray was mentioned many times (see Appendix A for details). To summarize:

- 46 Incidents involving discharged bear spray (locations include a school, malls, city buses, businesses and residences)
- 17 Investigations where bear spray was seized, often in addition to other weapons and/or drugs

On October 21, 2024, during an interview with [Global Saskatoon News](#), Deputy Chief Darren Pringle of the SPS discussed the increased incidents of bear spray and stated:

“We had just over 250 incidents last year and we’re on track to have almost 300 this year.”

“At the end of the day, the thing we’re struggling with is the sale of bear spray as a regulator.”

“We have retailers who are good citizens, good corporate citizens. So, they have it behind a counter and they ask for ID and they keep a record and they do some things to try and limit that sale. But there's other retailers. There's a convenience store in the city where you can buy in and get a Slurpee and bear spray. And there's nothing that we can do legally to curtail that.”

The City of Saskatoon currently does not have any bylaws regulating the sale of bear spray.

Other Municipalities

Vancouver

On [March 28, 2023](#), in response to public safety concerns raised by Vancouver Police Department, the City of Vancouver staff sought Council approval to regulate the sale and display of bear spray in Vancouver. The staff recommended the following amendments to their License By-law:

- Prohibit the sale of bear spray to anyone under the age of 19 and anyone who does not provide identification;
- Require retailers to keep bear spray in a locked or inaccessible area from the public; and
- Require retailers to record details of each sale, keep the record for a period of 12 months and make it available upon request to the Chief Licence Inspector to ensure by-law compliance.

Staff also recommended amendments to the Ticket Offences By-law to make it a ticket offence with a stipulated fine of \$1,000 for noncompliance with any of the above requirements.

To further enhance regulations for bear spray, staff recommended the Mayor (on behalf of Council) send a letter to the Minister of Environment & Climate Change Strategy requesting a review of and amendment to the Integrated Pest Management (IPM) Act and Regulation to designate bear spray as a Restricted Pesticide. This designation would require sellers to obtain a provincial vendor licence subject to record and reporting requirements under provincial oversight and enforcement.

The recommendations were carried [unanimously](#) and the By-laws were amended on [April 11, 2023](#).

Edmonton

On [June 17, 2024](#), the City of Edmonton considered Bylaw amendments to address the sale of Oleoresin Capsicum (OC) Spray, commonly known as bear spray. It was in response to a report from the Edmonton Police Service that noted that OC spray canisters were being manipulated and that the safety mechanisms were being disabled by users to allow for quick use for illicit purposes.

Administration proposed the following:

- A new Oleoresin Capsicum (OC) Spray Sales business licence category for retailers that sell OC spray. This new category would regulate businesses which choose to sell OC spray products by applying a set of deemed conditions (i.e. operating requirements) for businesses to comply with.
- An amendment to prohibit the sale of OC spray to a person under 18 years of age.
- A requirement for businesses to record transactions involving the sale of OC spray.
- A requirement for retailers to secure all OC spray products and prevent the public from accessing them directly.
- An amendment that would require businesses to provide the buyer with City-approved messaging on appropriate and inappropriate uses of OC spray, and the consequences of using it on another person.
- That fines corresponding to the above deemed conditions be added to Schedule C - Offences and Penalties.

The motion was carried [unanimously](#) and the Bylaw amendments were carried unanimously on [July 3, 2024](#).

Motions Requested

That Administration consult with the Saskatoon Police Service and relevant stakeholders (businesses that sell bear spray) to gather feedback on the regulation of the sale of bear spray.

That Administration report back to this Standing Policy Committee within three months with bylaw options that would assist the Saskatoon Police Service by regulating the sale of bear spray, including communication options for the retailers to provide to the purchasers.

Attachments

Appendix A 2024 news releases that involved bear spray, courtesy the Saskatoon Police Service

| Date/Time | Description | Type | Number of incidents |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------|------------|---------------------|
| November 29, 2024 11:09 AM | Arrest - Discharged Bear Spray - 200 Block 1st Avenue South | Discharge | 1 |
| November 18, 2024, 4:22 PM | Break & Enter - Stolen Auto - 600 Block Kellough Road | Possession | |
| November 14, 2024, 10:18 AM | Discharged Bear Spray - 200 Block 1st Avenue South | Discharge | 1 |
| November 12, 2024, 10:56 AM | Arrests - Drug Trafficking Investigation - 100 Block Of Avenue E South | Possession | |
| November 4, 2024, 2:42 PM | Arrest - Weapons Offence - 300 Block Of Douglas Crescent | Possession | |
| November 4, 2024, 1:35 PM | Bear Spray - 200 Block Of Nesbitt Crescent | Discharge | 1 |
| October 28, 2024, 3:10 PM | Arrest - Stabbing / Bear Spray - 300 Block Of Avenue R South | Discharge | 1 |
| October 23, 2024, 10:19 AM | Charges Laid - Assault With A Weapon - 600 Block Avenue X South | Discharge | 1 |
| October 22, 2024, 3:46 PM | Arrest - Bear Spray - 2600 Block Of Clarence Avenue South | Discharge | 1 |
| October 21, 2024, 3:33 PM | Arrests - Bear Spray - 60 Block Of 24th Street East | Discharge | 1 |
| October 15, 2024, 4:37 PM | Bear Spray Investigations | Discharge | 7 |
| October 8, 2024, 2:36 PM | Arrest - Aggravated Assault - 400 Block Of 2nd Avenue South | Discharge | 1 |
| October 8, 2024, 11:08 AM | Bear Spray - Avenue M South And 21st Street West | Discharge | 1 |
| October 7, 2024, 3:58 PM | Bear Spray Investigations | Discharge | 4 |
| October 4, 2024, 4:50 PM | Discharged Bear Spray - 2200 Block Rusholme Road | Discharge | 1 |
| October 3, 2024, 4:21 PM | Bear Spray Incidents | Discharge | 3 |
| October 1, 2024, 1:07 PM | Arrest - Bear Spray - 300 Block Of 2nd Avenue North | Discharge | 1 |
| September 16, 2024, 3:43 PM | Arrest - Bear Spray / Assault - 200 Block Of 1st Avenue South | Discharge | 1 |
| September 13, 2024, 11:42 AM | Bear Spray Investigations | Discharge | 5 |
| September 9, 2024, 3:50 PM | Charges Laid - Assault / Weapon - 100 Block Of Riel Crescent | Possession | |
| August 27, 2024, 10:36 AM | Charges Laid - Firearm Discharged - 100 Block Of Avenue P North | Possession | |
| August 26, 2024, 1:34 PM | Charges Laid - Bear Spray - 21st Street West And Avenue U South | Discharge | 1 |
| July 29, 2024, 1:18 PM | Charges Laid - Weapons Offence - 1300 Block Of Avenue B North | Possession | |
| July 23, 2024, 10:42 AM | Multiple Incidents Involving Bear Spray | Discharge | 5 |
| July 19, 2024, 3:40 PM | Charges Laid - Weapons Offence - Bentley Court And Bentley Lane | Possession | |
| July 16, 2024, 1:28 PM | More Than 100 Arrested Following 11 Day Visibility And Enforcement Project | Possession | |
| July 2, 2024, 11:14 AM | Charges Laid - Assault PO - 22nd Street East And 4th Avenue North | Discharge | 1 |
| June 24, 2024, 2:48 PM | Charges Laid - Bear Spray - Fairmont Drive And Fairlight Drive | Discharge | 1 |
| June 17, 2024, 12:27 PM | Charges Laid - Robbery - 300 Block Of Confederation Drive | Possession | |
| June 14, 2024, 1:25 PM | Charges Laid - Robbery - 1600 Block Of 33rd Street West | Discharge | 1 |
| May 24, 2024, 10:34 AM | Arrest - Assault - 400 Block Lenore Drive | Discharge | 1 |
| May 14, 2024, 3:45 PM | Robbery - Air Support - 300 Block Of Pendygrasse Road | Possession | |
| May 10, 2024, 11:58 AM | Firearms Offence - Evade Police - 200 Block Of Thomas Crescent | Possession | |
| April 30, 2024, 9:35 AM | Charges Laid - Robbery - 300 Block Of 2nd Avenue North | Possession | |
| April 29, 2024, 2:02 PM | Charges Laid - Bear Spray - 1700 Block Of 20th Street West | Discharge | 1 |
| April 26, 2024, 10:59 AM | Armed Robbery - 2400 Block 22nd Street West | Possession | |
| April 12, 2024, 11:18 AM | Multiple Incidents Involving Discharged Bear Spray | Discharge | 3 |
| April 5, 2024, 9:17 AM | Weapons / Disturbance - 2400 Block 22nd Street West | Possession | |
| April 2, 2024, 12:21 PM | Assault/Vandalism - 3500 Block Of 8th Street East | Discharge | 1 |
| March 15, 2024, 2:21 PM | Arrests - Weapons / Disturbance - 2200 Block Rusholme Road | Possession | |
| January 30, 2024, 4:07 PM | Arrests - Guns & Gangs Investigation - TSU Assist - 400 Block Montreal Ave. S. | Possession | |
| January 15, 2024, 11:15 AM | Guns & Gangs Investigation: Firearms Seizure/Meth Trafficking Charges - 2400 Block 8th St. E | Possession | |
| Total incidents involving discharged bear spray | | | 46 |