

CONSOLIDATED VERSION

This consolidation is prepared for convenience only; for accurate reference see by-laws as adopted by Council.

**BY-LAW NUMBER 96-089
OF
THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

BEING A BY-LAW FOR THE PROHIBITION AND
ABATEMENT OF CERTAIN PUBLIC NUISANCES
WITHIN THE MUNICIPALITY**

WHEREAS Section 210(140) of the Municipal Act, R.S.O. 1990 c.M.45 permits Council of local Municipalities to pass by-laws to prohibit and abate public nuisances.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE HEREBY ENACTS A BY-LAW AS FOLLOWS:

DEFINITIONS:

1. (a) "Beg" shall mean to go from place to place or to remain stationary and, while there, to solicit donations for oneself or another Person, but shall not include the solicitation of donations on behalf of a bona fide charity;
- (b) "Municipality" shall mean the Corporation of the Township of Uxbridge and where the context implies, members of its staff and council;
- (c) "Highway" shall mean a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed or intended for or used by the general public for the passage of vehicles or persons, whether under the jurisdiction of the Regional Municipality of Durham or the Municipality, and including any surface, grassed area, boulevard, ditch, curb, gutter and sidewalk within the lateral property lines of the Highway;
- (d) "Officer" shall include a police officer, a police cadet or police constable or other person employed for the preservation and maintenance of the public peace and includes a person assigned the responsibility of administering and enforcing this By-law, and all persons acting under his or her instructions;
- (e) "Park" shall mean land and land covered by water and all portions thereof owned or made available by lease, agreement or otherwise to the Municipality, that has been or hereafter may be established, dedicated, set apart or made available for use as public open space, including any or all buildings, structures, facilities, erections and improvements located in or on such land.
- (f) "Person" shall include an individual, sole proprietorship, partnership, unincorporated association, trust or a body corporate;
- (g) "Pedestrian" shall mean a Person on any part of a Highway who is on foot or a Person in a wheelchair, baby carriage or any similar, legally operated, ambulatory device.

PROHIBITION OF CERTAIN PUBLIC NUISANCES:

2. No Person shall beg, either from door to door, or on any Highway or in any other public place, including a Park.
3. No Person shall solicit any other Person on any Highway or in any other public place, for donations of money or for any commercial purpose, except for donations on behalf of a bona fide charity.
4. No group of three or more Persons shall gather together and stand in a group or near each other on any Highway, or on any Pedestrian walkway, sidewalk, boulevard or in any other public place including a Park, in such a manner as to obstruct the free passageway of Pedestrian or vehicular traffic after having been requested to move on by an Officer.
5. No Person shall use any Highway, pedestrian walkway, sidewalk, boulevard or any other public place including a Park, in a manner to crowd, or jostle Pedestrians or

persons using the public place or Park or to create discomfort, disturbance or confusion for Pedestrians or persons using the public place or Park. Without limiting the generality of the foregoing, it shall constitute an offence for a Person to cause a disturbance or any Highway, Pedestrian walkway, sidewalk, boulevard or any public place including a Park by screaming, yelling or using profane or abusive language in a manner which is audible to passersby.

6. No Person shall conduct any activity which interferes with travel or other lawful use of the highway, pedestrian walkway, sidewalk, boulevard or any public place including a Park, by Pedestrians or other Persons or in such a manner so as to interfere with any Persons' ingress or egress to or from any private premises or place of business.
7. No Person shall loiter on any Highway, pedestrian walkway, sidewalk, boulevard or other public place including a Park, after having been requested by an Officer to move on.
8. No Person shall interfere with any other Person's lawful use of any Highway or other public place, including a Park.
9. No Person shall defecate, urinate or spit in or on any Highway or other public place, including a Park.

PENALTIES

10. Any person who contravenes any of the provisions of this by-law is guilty of an offence, and on conviction, is liable to a fine such amount provided for by the Provincial Offences Act, R.S.O., 1990, c.P.33, or may be amended from time to time.

GENERAL PROVISIONS:

11. All words and personal pronouns relating to words contained in this By-law shall be read and construed with the number and gender of the person or persons referred to in each case.
12. Should any paragraph, clause or phrase in this By-law be declared by a court of competent jurisdiction to be invalid in whole or in part, the validity of the other provisions of the By-law shall be affected thereby, the intent of Council being that each provision of the By-law shall be determined to be separately valid and enforceable to the fullest extent permitted by law.
13. This By-law shall come into full force and effect as of the date of its passing.