

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 195-2000

A By-law to prohibiting and abating public nuisances on public land or in public buildings within the City of Vaughan.

WHEREAS it is deemed advisable to prohibit and abate public nuisances on public land or in public buildings within the City of Vaughan pursuant to The Municipal Act R.S.O 1990 c.M.45,s.210, (“the Act” as amended)

AND WHEREAS Part XV11.1 of the Municipal Act authorizes the Council to pass by-laws for prohibiting and abating public nuisances;

NOW THEREFORE the Council of The Corporation of the City of Vaughan enacts as follows:

Part I, Definitions :

1.1 **Short Title:** This by-law may be cited as The Nuisance By-Law.:

1.2 **Definitions :**

- (a) **“Nuisance”** includes shouting, screaming ,unusual noises, ringing of bells, sounding of horns, blowing of whistles, squealing of tires, revving of engines, the idling of vehicles longer than five (5) minutes; the playing of music or any other noise that disturbs or is likely to disturb persons or the occupants of a dwelling; the use or display of placards, play bills, posters on public land other than at a permitted event: the display or use of posters, placards, drawings or the writing of words which are offensive on public land, buildings or structures; expectorating, urinating or defecating in any public place or highway other than a washroom facility; obstructing the passage of pedestrians on a walkway or highway in a public place rendering passage impassable or difficult; the creation of discomfort, disturbance or confusion for pedestrians or the occupants of a dwelling or to passing motorists; loitering in a public place after being instructed to move by a peace officer; loitering, remaining in or refusing to leave a public building after it is closed and/ or when ordered to do so by a peace officer; the use of offensive language or gestures; the harassment or the intimidation of another person or persons on public lands or in public facilities; willfully causing damage to public property; the use of a public facility or public lands for other than their lawful intended use; soliciting for illegal activities; the carrying of open liquor on public lands or in a public building

- 1.2 **“Highway”** means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles or persons, whether under the jurisdiction of the City of Vaughan or the Region of York, and including any surface, grassed area, boulevard, ditch, curb, gutter, and sidewalk.
- 1.3 **“Peace Officer”** means a police constable, police officer, and a person employed by the City of Vaughan for the preservation and maintenance of the public peace or for the service or execution of civil process; and includes a person assigned the responsibility of administering and enforcing this by-law, and all persons acting under his or her instructions.
- 1.4 **“Loitering”** means the lingering or hanging about on public lands or in public buildings with no purposeful activity or obstructing or making difficult the passage of persons on public lands or in public buildings.
- 1.5 **“A Public Place”** means any municipal building and any municipal or public lands within the City of Vaughan.

Part II, Prohibitions Against Certain Public Nuisances

- 2.1 No person shall cause a nuisance on any public land or in any public building or on any highway within the City of Vaughan.
- 2.2 No person shall loiter on any public land or in any public place or on any public highway within the City of Vaughan.

Part III, Penalties :

- 3.1 Any person who commits an offence pursuant to the provisions of this by-law shall be liable, upon conviction, to the penalties prescribed by the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.

Part IV, Severability :

- 4.1 Should any paragraph, clause or phrase in this by-law be declared inoperative by a court of competent jurisdiction, the remainder of the by-law shall remain in full force and effect.

Part V, Effective Date :

- 5.1 This by-law shall come into force and take effect on the date of its enactment.
- 6.1 By-law 159-73 is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed this 23rd day of May, 2000.

L. D. Jackson, Mayor

J. D. Leach, City Clerk