

The Corporation of the Town of Grimsby**By-law No. 11-21****A By-law to address public nuisance.**

Whereas the Municipal Act 2001, S.O. 2001,c.25 as amended now provides that a municipality has the capacity, rights and powers and privileges of a natural person for the purpose of exercising its authority and that it may do so by by-law; and further that Section 128 of the said Municipal Act, provides that a local municipality may prohibit and regulate with respect to public nuisance, including matters that in the opinion of Council, are or could become, or cause public nuisances;

And whereas it is the opinion of the Council for the Corporation of the Town of Grimsby that certain actions outlined in the By-law do constitute a public nuisance;

And whereas Section 425 of the Municipal Act, establishes that any person who contravenes any by-law of the municipality is guilty of an offence;

1. Definitions:

- a. "Town" means The Corporation of the Town of Grimsby;
- b. "Defecate" means to discharge waste matter from the bowels;
- c. "Fight" means any confrontation involving violent physical contact between two or more people;
- d. "Graffiti" means images or lettering scratched, scrawled, painted or any form of marking on property that does not belong to the artist;
- e. "Loiter" shall mean lingering on the way, to travel indolently with frequent pauses without any apparent destination;
- f. "Public place" includes a highway, sidewalk, pedestrian walkway or trail, property and any place to which the public have access as of right or by invitation, expressed or implied and private property that is exposed to public view but does not include a washroom facility;
- g. "Spit" means to eject phlegm, saliva, chewing tobacco, juice or any other substance from the mouth;
- h. "Urinate" means to discharge urine from the body;
- i. "Vomit" means to eject matter from stomach through the mouth;

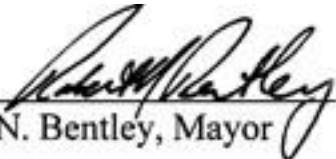
2. Prohibitions:

- a. No person shall urinate, defecate, vomit or spit in a public place.
 - b. No person shall knock over or attempt to knock over a Canada Post mailbox, newspaper box, bench, fence, blue box or garbage container, or any other structure or object, located in a public place. This section shall not apply to Town employees or persons under contract with the Town, acting under the jurisdiction of the Town.
 - c. No person shall loiter in a public place.
 - d. No person shall participate in a fight in any public place.
 - e. No person shall mark or apply graffiti on any public place, including signs or private property.
 - f. No person shall leave, throw or deposit any bottles, glasses or other materials on public or private property.
 - g. No owner, occupant or tenant of any premises serving alcohol, fitted with large doors or garage type doors, shall cause, permit or allow the said doors to remain open after 11 p.m.
 - h. No person shall refuse to identify themselves when requested to do so by a police officer or a municipal law enforcement officer.
3. Each provision of this By-law is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this By-law remain valid and enforceable.
 4. Nothing in this By-law relieves a person from complying with any provision of any federal or provincial law or regulation, other by-law, or any requirement of any lawful permit, order or license.
 5. The provisions of this By-law may be enforced by a municipal law enforcement officer, police officer or other individual duly appointed for the purpose of enforcing this By-law.
 6. Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended and regulations thereof.

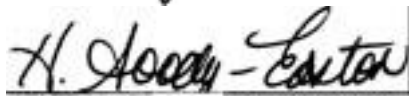
7. This By-law shall come into force and effect on the day it is passed.

Read a first time this 18th day of April 2011.

Read a second and third time and finally passed this 18th day of April 2011.



R.N. Bentley, Mayor



Sandy-Easton, Town Clerk

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 11-21, as amended, for The Corporation of the Town of Grimsby, attached hereto is the set fine for that offence. This Order is to take effect August 17, 2017.

Dated at Hamilton, this 18th day of September, 2017.



Sharon Nicklas
Regional Senior Justice
Central West Region

Schedule A to By-law 17-45

Amending By-law 11-21

Being a By-law to address public nuisance in the Town of Grimsby

Set Fine Offences

Item#	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set Fine
1.	Urinate in public place.	Part 2 (a)	205.00
2.	Defecate in public place.	Part 2 (a)	305.00
3.	Vomit in public place.	Part 2 (a)	150.00
4.	Spit in public place.	Part 2 (a)	150.00
5.	Cause to knock over a mailbox.	Part 2 (b)	205.00
6.	Attempt to knock over a mailbox.	Part 2 (b)	150.00
7.	Cause to knock over a newspaper box.	Part 2 (b)	205.00
8.	Attempt to knock over a newspaper box.	Part 2 (b)	150.00
9.	Cause to knock over a bench.	Part 2 (b)	205.00
10.	Attempt to knock over a bench.	Part 2 (b)	150.00
11.	Cause to knock over a fence.	Part 2 (b)	205.00
12.	Attempt to knock over a fence.	Part 2 (b)	150.00
13.	Cause to knock over a blue box.	Part 2 (b)	205.00
14.	Attempt to knock over a blue box.	Part 2 (b)	150.00
15.	Cause to knock over a garbage container.	Part 2 (b)	205.00
16.	Attempt to knock over a garbage container.	Part 2 (b)	150.00
17.	Cause to knock over a structure or object in a public place.	Part 2 (b)	205.00
18.	Attempt to knock over a structure or object in a public place.	Part 2 (b)	150.00

19.	Loiter in a public place.	Part 2 (c)	150.00
20.	Fight in a public place.	Part 2 (d)	150.00
21.	Mark or apply graffiti on any public place or private property.	Part 2 (e)	205.00
22.	Leave, throw or deposit any bottles, glass, or other materials on public or private property.	Part 2 (f)	205.00
23.	Owner of premises serving alcohol with large or garage doors cause or permit doors to remain open after 11 p.m.	Part 2 (g)	205.00
24.	Occupant of premises serving alcohol with large or garage doors cause or permit doors to remain open after 11 p.m.	Part 2 (g)	205.00

Note: The general penalty provision for the offences listed above is Section 6 of the Bylaw

11-21 as amended, a certified copy of which has been filed.

The Corporation of the Town of Grimsby

By -17- 45

A By-law to amend By-law 11- 21 to address public nuisance in the Town of Grimsby

Whereas the Council of the Town of Grimsby deems it expedient to amend Bylaw No. 11- 21 being a By-law to address public nuisance in the Town;

And further be amended by adding:

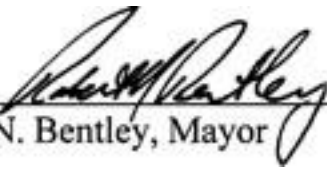
And whereas the Municipal Act, 2001 authorizes the Town of Grimsby, amongst other things, to delegate its authority, to impose fees or charges on persons for services or activities provided or done by or on behalf of it, to provide for inspections and inspection orders and to make orders to discontinue activity or to do work as set out in the Fees and Charges By-law;

And further that Schedule A of By-law 17- 45 form part of By-law 11- 21.

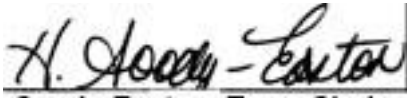
1. That all other sections of By-law 11- 21 shall be deemed to remain in force.
2. That this By-law shall come into force and take effect on the date of passage.

Read a first time this 15th day of May 2017

Read a second and third time and finally passed this 15th day of May 2017



 R.N. Bentley, Mayor



 Sandy-Easton, Town Clerk

The Corporation of the Town of Grimsby
Part I Provincial Offences Act
Bylaw no. 11- 21, as amended by bylaw 17- 45: Public Nuisance

Item#	Column 1 Short Form Wording	Column 2 Provision creating or defining offence	Column 3 Set Fine
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2.	Defecate in public place.	Part 2 (a)	305.00
3.	Vomit in public place.	Part 2 (a)	150.00
4.	Spit in public place.	Part 2 (a)	150.00
5.	Cause to knock over a mailbox.	Part 2 (b)	205.00
6.	Attempt to knock over a mailbox.	Part 2 (b)	150.00
7.	Cause to knock over a newspaper box.	Part 2 (b)	205.00
8.	Attempt to knock over a newspaper box.	Part 2 (b)	150.00

9.	Cause to knock over a bench.	Part 2 (b)	205.00
10.	Attempt to knock over a bench.	Part 2 (b)	150.00
11.	Cause to knock over a fence.	Part 2 (b)	205.00
12.	Attempt to knock over a fence.	Part 2 (b)	150.00
13.	Cause to knock over a blue box.	Part 2 (b)	205.00
14.	Attempt to knock over a blue box.	Part 2 (b)	150.00
15.	Cause to knock over a garbage container.	Part 2 (b)	205.00
16.	Attempt to knock over a garbage container.	Part 2 (b)	150.00
17.	Cause to knock over a structure or object in a public place.	Part 2 (b)	205.00
18.	Attempt to knock over a structure or object in a public place.	Part 2 (b)	150.00
19.	Loiter in a public place.	Part 2 (c)	150.00
20.	Fight in a public place.	Part 2 (d)	150.00
21.	Mark or apply graffiti on any public place or private property.	Part 2 (e)	205.00
22.	Leave, throw or deposit any bottles, glass, or other materials on public or private property.	Part 2 (f)	205.00
23.	Owner of premises serving alcohol with large or garage doors cause or permit doors to remain open after 11 p.m.	Part 2 (g)	205.00
24.	Occupant of premises serving alcohol with large or garage doors cause or permit doors to remain open after 11 p.m.	Part 2 (g)	205.00

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