

VILLAGE OF HARVEY

Revised By-Laws of the Village of Harvey, 1980

BY-LAW 82-5

A BY-LAW RELATING TO THE PREVENTION OF NUISANCE

BE IT ENACTED by the Council of the Village of Harvey as follows:

SHORT TITLE

1. This By-Law may be cited and referred to as the "Nuisance By-Law"

DEFINITIONS

2. In this By-Law:

- (1) "Public Place" means any place either a building or in the open to which the public can and do have access, whether or not the place is devoted exclusively to the uses of the public and whether or not such access is with or without invitation or permission including permission obtained by payment of an admission charge, and without limiting the generality of the foregoing, includes:
 - (a) Any street, square, common park, parking lot, picnic site, playground, playing field, camp ground, church ground or yard, cemetery, school ground or yard, the grounds of any public building, or other open space;
 - (b) The approaches to, and yard and grounds, including parking lot, of a place ordinarily used as a place of business;
- (2) "street" means the entire width between the boundary lines of every street, highway, road, lane, boulevard, alley, drive, avenue, park, public square, common, or any other place for the passage of vehicles, and includes any sidewalk, bridge, divider, median, safety island, ditch, drain, or culvert therein;

- (3) "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a street, and includes a bicycle, motor driven cycle, motor vehicle, motorized snow vehicle, snowmobile, and animal-drawn vehicle.

NUISANCES

3. No person shall run in a reckless manner on any street, not in any way obstruct travel therein.
4. No person shall throw a stone, snowball, or other missile on or into any street, or at any building.
5. No person shall coast or slide on a sled or slide on a sled or toboggan on a street.
6. No person shall skate, or play any game of ball, hockey or other game on any street.
7. No person shall unnecessarily make or cause to be made, or allow to be made, a loud and disturbing noise by:
 - (a) Shouting,
 - (b) Singing,
 - (c) Sounding a horn,
 - (d) Beating a drum,
 - (e) Playing a musical instrument,
 - (f) Operating a radio, tape player, or other device for reproducing sound,

Or by any other means whatsoever in a public place.

8. (1) No person shall operate a motor vehicle in the Village with a faulty muffler so as to create a loud and disturbing noise.

(2) No person shall operate a vehicle in the Village in such a manner as to cause the tires thereof to unnecessarily create a loud and disturbing noise.

9. No person shall continue to make, or cause to be made, or allow to be made, unnecessarily, a loud noise by any means whatsoever in any place in the Village, whether a public place or otherwise, if requested by a peace officer to desist therefrom because such noise is disturbing neighbours or other inhabitants.
10. No person shall knock on a door or ring a door bell of a residence for the purpose of annoying or disturbing any person in such residence.
11. No person shall either directly or indirectly demand or invoke the official services of any peace officer or other officer or official of the Village where no reasonable cause exists for so doing.
12. No person shall pull down, deface, mutilate, or cover over any public notice lawfully posted within two week after the posting thereof, without the consent of the person causing the same to be posted. No person shall deface Public or Private property.
13. (1) No person shall, without permission of the Mayor or person designated by him, place or cause to be placed in or upon any ditch or watercourse within the Village any manure, nightsoil, dirt, offal, or offensive substance, or any glass, stone, wood, metal, or rubbish tending to impeded the flow of water in such ditch or watercourse.

(2) A person designated by the Mayor or any peace officer of the Village may require any person who has violated the provisions of subsection (1) hereof to remove anything placed or caused to be placed as aforesaid and in case of his neglect or on refusal to comply with such order or if the person committing such violation cannot be found, the person designated by the Mayor may forthwith remove or destroy such thing or sell the same as he deems advisable and the expense of such removal or destruction shall be paid by such person in addition to any penalty imposed pursuant to this By-Law.

(3) No person shall litter, on private or public property.

OFFENSES AND PENALTIES

14. Every person who violates any provision of this By-Law is guilty of an offense and on summary conviction is liable to a minimum fine of not less than twenty-five dollars (\$25.00) and a maximum fine of not more than one hundred and twenty-five dollars (\$125.00).

This By-Law consolidated as of January 1, 1986

This original By-Law being Chapter 9 is to be filed at the Harvey Village Office under By-Laws in alphabetical order.