

**BY-LAW No. 2010-052
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



**BEING A BY-LAW TO PROHIBIT PUBLIC NUISANCES ON PUBLIC LAND
OR IN PUBLIC BUILDINGS WITHIN THE TOWN OF COLLINGWOOD**

WHEREAS Section 8.1 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provides that the powers of a municipality under this Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 128.1 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Sections 425 and 429 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, authorizes a Municipality to create offences and establish fines for offences under by-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD HEREBY ENACTS AS FOLLOWS:

1.0 SHORT TITLE

This By-law may be cited as the "Public Nuisance By-law".

2.0 DEFINITIONS

"Officer" means a Municipal Law Enforcement Officer or a Police Officer.

"Town" means the Corporation of the Town of Collingwood.

3.0 GENERAL

3.1 No person shall solicit funds on any Town sidewalk or other Town pedestrian-way, or portion thereof unless authorized by the Town.

3.2 No person shall block, interfere with or otherwise impede the passage of any pedestrian on any Town sidewalk or other Town pedestrian-way, or portion thereof unless authorized by the Town.

3.3 No person shall obstruct, hinder or otherwise interfere with an Officer of the Town while carrying out an investigation, making inquiries, or performing an inspection for the purposes of enforcing this By-law.

4.0 ENFORCEMENT

4.1 The provisions of this By-law shall be enforced by a Municipal Law Enforcement Officer or a Police Officer.

5.0 PENALTY

5.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended and the *Provincial Offences Act*, R.S.O. 1990, c.P.33.

6.0 VALIDITY, SEVERABILITY AND INTERPRETATION

6.1 Should a court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.


6.2 Whenever any reference is made in this By-law to a statute or regulation of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute or regulation and all successor legislation to such legislation.

6.3 Words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law otherwise requires.

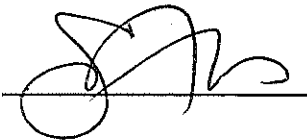
7.0 ENACTMENT

7.1 *THAT* this by-law shall come into full force and effect on the date of final passage hereof at which time all by-laws that are inconsistent with the provisions of this by-law and the same are hereby amended insofar as it is necessary to give effect to the provisions of this by-law.

ENACTED AND PASSED this 3rd day of May, 2010.



MAYOR



CLERK