

**CANADA
PROVINCE OF QUEBEC
REGIONAL COUNTY OF ARGENTEUIL
MUNICIPALITY OF THE TOWNSHIP OF WENTWORTH**

**PUBLIC SAFETY BY-LAW
NUMBER 460-2019
CONCERNING SAFETY, PEACE AND
GOOD ORDER IN PUBLIC PLACES**

WHEREAS the agreement regarding the provision of police services with in the territory of the MRC of Argenteuil authorizes the Sûreté du Québec to enforce, in all or in part, municipal By-Laws;

WHEREAS the Council wishes to adopt a By-Law to ensure the peace, order, general well-being and the improvement of the quality of life of citizens while in public areas on its territory;

WHEREAS a Notice of motion of the present by-law was previously given by Councillor Maurice Pilon at the regular meeting of June 3rd, 2019;

WHEREAS a copy of the Draft By-Law was presented and made available to the public and to the members of Council the on June 3rd, 2019 in accordance with article 445 of the Quebec Municipal Code(C-27.1).

**CONSEQUENTLY, IT IS PROPOSED BY:
AND RESOLVED**

THAT the By-Law be adopted as follows:

ARTICLE 1

The preamble is an integral part of the present By-Law.

ARTICLE 2

The present By-Law repeals and replaces By-Law no. RM 460 and its amendments

ARTICLE 3

The Municipal Council declares that it has adopted this by-law, section by section, article by article, paragraph by paragraph, so that if any one of these sections should be declared null by a competent court of law, the other sections of the By-Law continue to apply.

ARTICLE 4 – Definitions

For the purposes of the present By-Law, the following words and expressions mean:

Public Place:

Parks, thoroughfares, public parking lots, public transportation vehicles, areas with a public characteristic, the water courses.

Park:

Parks situated on the territory of the municipality and under its jurisdiction also includes all public areas, whether there is grass or not, accessible to the public for rest or relaxation, sports or play for any other similar purpose.

Thoroughfares:

Streets, roads, lanes, bicycle paths, walking paths, roadways, bridges, overpasses, sidewalks and other places which are designed for pedestrian and vehicle traffic and which are situated on the territory of the Municipality and which are being maintained by said Municipality.

Areas which have a public characteristics:

Parking lots, that are maintained and are under the responsibility of the Municipality, common areas of a business, of a public building or a building which houses tenants.

Public transportation vehicle:

Busses, including school busses, taxis, trains as well as vehicles designated for the transport of handicapped people.

ARTICLE 5 – Alcoholic beverages

In a public place, no one may consume alcoholic beverages or have in his possession a container of alcoholic beverages whose opening is not sealed, unless a permit has been issued by the *Régie des alcools, des courses et des jeux du Québec*.

ARTICLE 6 – Cannabis

In a public place, it is prohibited to inhale or use cannabis in any form whatsoever.

For the purpose of this By-Law, the word "cannabis" has the meaning assigned by federal law.

The word "smoking" also refers to the use of a pipe, bong, electronic cigarette or any other device of this nature.

ARTICLE 7 – Lit Tobacco

In a park, it is prohibited to smoke or have lit tobacco.

The word "smoking" also refers to the use of a pipe, bong, electronic cigarette or any other device of this nature.

ARTICLE 8 – Graffiti

It is prohibited to draw, paint or otherwise deface any public property.

ARTICLE 9 – Small arms

It is prohibited to be in a public area while carrying, without reasonable cause, a knife, a machete, a sword, a stick, an electric impulse weapon, a knife, any repellent device, such as an aerosol of cayenne pepper, a pepper spray bottle, or any imitation of such object, weapon or device. Self-defence is not a reasonable cause.

ARTICLE 10 – Fire in a public area

It is prohibited to light or maintain a lit fire in a public area without a permit.

The present article does not apply in the case of an activity organized by the Municipality.

ARTICLE 11 – Game/Thoroughfares

It is prohibited to execute or participate in a game or an activity on the thoroughfares without a permit.

The present article does not apply in the case of an activity organized by the Municipality.

ARTICLE 12 – Indecency

It is prohibited to urinate or defecate in a public area except in the places available for those purposes.

ARTICLE 13 – Sexual Gesture

It is prohibited to make a sexual gesture in a public place.

ARTICLE 14 – Fighting

It is prohibited to fight or skirmish in a public area.

ARTICLE 15 – Projectiles

It is prohibited to throw stones, bottles or any other projectile in a public area.

ARTICLE 16 – Projectiles Thrown Towards Private Property

It is prohibited, unless authorized, to throw stones, bottles or any other projectile from a public street, road or area, in the direction of private property.

ARTICLE 17 – Activities

It is prohibited to organise, direct or participate in a parade, a march or a race that assembles more than fifteen (15) participants in a public area without a permit.

The permit applicant must agree to submit a detailed plan of the activity to the police department serving the municipality and comply with the security measures recommended by the said police service.

Are exempt from requiring a permit are funeral processions, weddings and provincial events already regulated by other Laws.

This section does not apply in the case of an activity organized by the Municipality.

ARTICLE 18 – Refusal to leave

It is prohibited for any person to refuse to leave a public place when they have been asked to do so by a competent authority including a supervisor, a person working for the Municipality or by the police.

ARTICLE 19 – Dawdle, sleep, live, beg, camp

It is prohibited to camp, sleep, live, beg or dally in a public place except in the areas provided for that purpose.

ARTICLE 20 – Alcohol/Drugs

It is prohibited to be in a public area when under the influences of alcohol or drugs.

ARTICLE 21 – School

It is prohibited to, without reasonable cause, be on the school grounds from Monday to Friday between 7:00 A.M. and 5:00 P.M.

ARTICLE 22 – Park

It is prohibited to be in a park or on a school ground during hours which are indicated on signs as being prohibited.

The present article does not apply when the activity is organized by the Municipality.

ARTICLE 23 – Safety perimeter

It is prohibited to cross or be found inside a safety perimeter that has been established by a competent authority using signs (indications, ribbons, barriers, etc.) unless an authorisation has been expressly given.

ARTICLE 24 – Swimming

It is prohibited swim in a public area where a sign prohibits such an activity.

ARTICLE 25 – Garbage

In a public area, it is prohibited to throw, get rid of or place garbage, rubbish or empty bottles that are totally or partially empty, anywhere but in a public garbage receptacle.

ARTICLE 26 – Climbing

In a public area, it is prohibited to scale or climb on a statue, a post, a wire, a building, a fence or any other properly arranged materials which serve to support or prop, except for the games specifically installed for that purpose.

ARTICLE 27 – Insult

It is prohibited to insult or abuse a municipal employee, a police officer, a municipal inspector or any person in charge of applying Municipal By-Laws or Laws while they are carrying out their duties.

ARTICLE 28 – Mask or Disguise

It is forbidden to wear a mask or disguise in a public place with the intention of disturbing the peace.

PENAL PROVISIONS

ARTICLE 29

The Council authorizes police and/or the municipal inspector or any other person designated by the Council to apply the present By-Law and to issue statements of offence (offence notices, tickets or other) and to undertake the following penal procedures:

- Any person who contravenes to one or any provisions of the present By-Law commits an infraction and is liable to a fine with or without costs;
- For a first infraction, the amount of the fine is set at two-hundred and fifty dollars (\$ 250) if the person who contravenes is a physical person and at double that amount if the offender is a moral person;
- For at repeat offence, the amount of the fine is double that set for a first infraction.
- If the infraction continues, this continuity constitutes, day by day, a separate offence and the offender is liable to the fine, with or without costs, for each day during which the infraction continues.
- In all cases, the costs of any legal proceedings are extra
- The time limits for the payment of fines and fees imposed under this section, and the consequences of failure to pay such fines and costs within the

prescribed time, are established in accordance with the Quebec Code of Penal Procedure (L.R.Q., c.C-25.1).

The competent authority may use all legal, penal and/or civil resources, applicable against any person who contravenes this By-Law, alternatively or cumulatively if necessary.

ARTICLE 30 - Effective date

The present By-Law comes into effect in accordance with the Law.

Jason Morrison
Mayor

Natalie Black
General Manager and
Secretary-Treasurer

Notice of Motion:
Presentation of the Draft By-Law:
Adoption of By-Law:
Notice of coming into effect:

June 3rd, 2019
June 3rd, 2019

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