



London
CANADA

PUBLIC NUISANCE BY-LAW

PUBLIC PARTICIPATION MEETING



London
CANADA

MUNICIPAL ACT

- Economic, social and environmental well-being of Municipality
- Health, safety and well-being of persons
- Protection of persons and property
- Prohibit and regulate with respect to public nuisances



London
CANADA

CITY OF EAST LANSING, MICHIGAN





London
CANADA

Mansfield considering ‘nuisance house’ ordinance



- After two violent deaths associated with large student gatherings during the last 12 months, the town’s Community Quality of Life Committee is close to proposing a “nuisance house” ordinance.

Windham Today News –October 17, 2010



London
CANADA

FORT COLLINS, COLORADO





London
CANADA

FORT COLLINS, COLORADO



MUNICIPAL ACT

- Matters that, in the opinion of Council, are or could become or cause public nuisances



London
CANADA





London
CANADA





London
CANADA





London
CANADA





London
CANADA





London
CANADA

Definition

- A social gathering on premises within the municipality and which , by reason of the conduct of persons in attendance, results in any one or more of the following activities occurring that constitute a public nuisance whether occurring on neighbouring public or private property:



London
CANADA

- disorderly conduct;
- public drunkenness or public intoxication;
- the unlawful sale, furnishing, or distribution of alcoholic beverages or controlled substances;
- the deposit of refuse or litter;
- destruction of public or private property;



London
CANADA

- obstruction of emergency services;
- unreasonable noise;
- unlawful open burning or fireworks;
- public disturbances;
- outdoor public urination; or
- any other conduct or activity at a social gathering or party that is carried on so as to constitute a public nuisance.



London
CANADA

- No person shall sponsor, conduct, continue, host, create, attend, allow, cause or permit a Nuisance Party.



London
CANADA

- No person who, individually or jointly with others, is an owner, occupant, tenant, shall allow, cause or permit a Nuisance Party on said Premises under their possession or control.



London
CANADA

ORDER TO DISCONTINUE ACTIVITY

- Upon the order of the Chief of Police or his or her designate or the City's Manager of Licensing and Municipal Law Enforcement Services or his or her designate, a Nuisance Party shall cease and all persons not residing on the Premises shall leave the Premises where it is occurring.

CLOSING ROADWAY

- The Chief of Police, a London Police Services police officer, or a municipal law enforcement officer may temporarily close any Highway or portion thereof to public travel under this By-law where a Nuisance Party is occurring.



London
CANADA

REMEDIES

- Prosecution - minimum fine \$500; maximum fine \$10,000
- Injunctive proceedings – fail to comply with court order – contempt proceedings

CLOSURE OF PREMISES

- Upon application of a municipality, the Superior Court of Justice may make an order requiring that all or part of a premises within the municipality be closed to any use for a period not exceeding two years



London
CANADA

QUESTIONS

