

PUBLIC NUISANCE BY-LAW

PUBLIC PARTICIPATION MEETING



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



CITY OF EAST LANSING, MICHIGAN







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



FORT COLLINS, COLORADO







FORT COLLINS, COLORADO



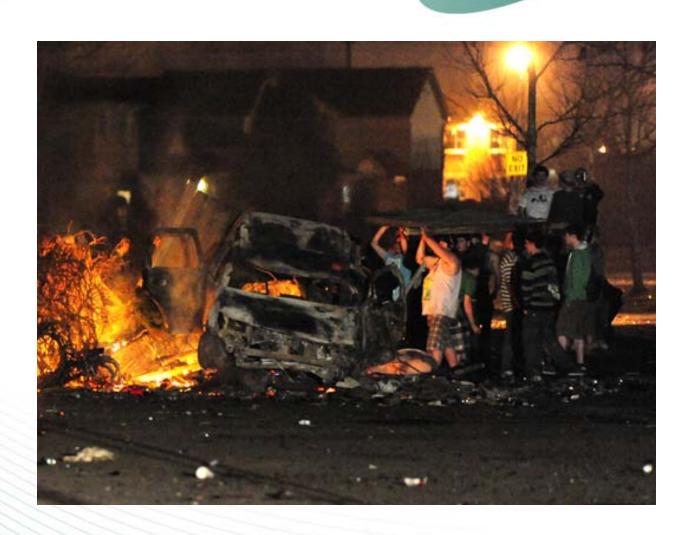




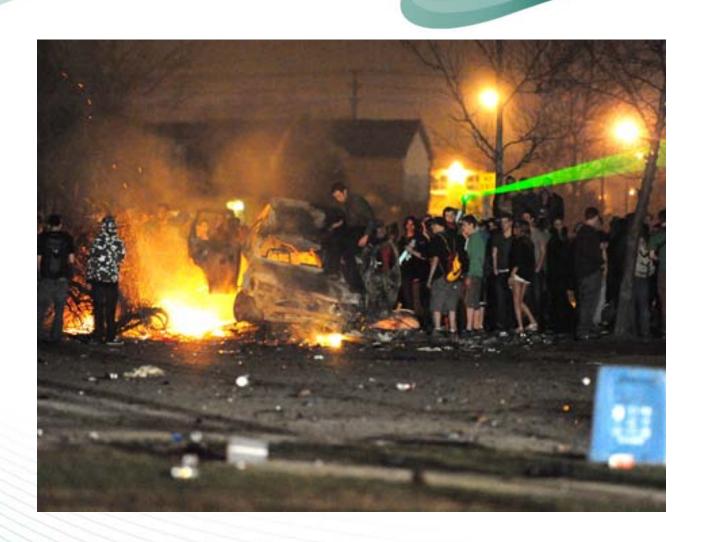
MUNICIPAL ACT

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

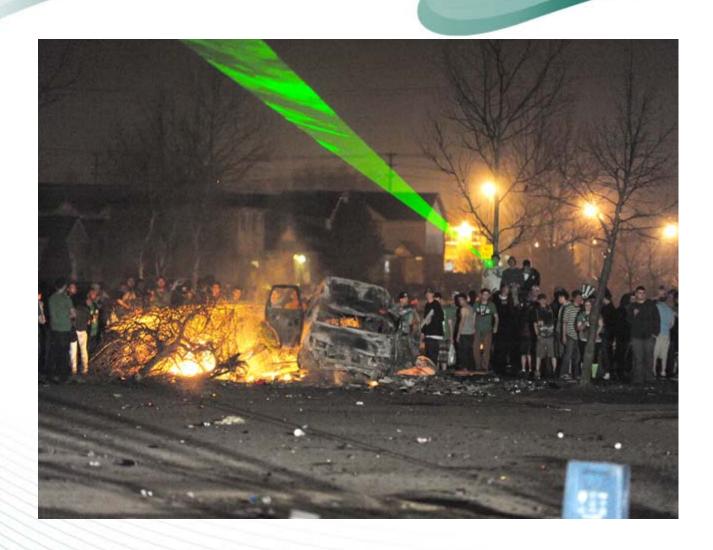








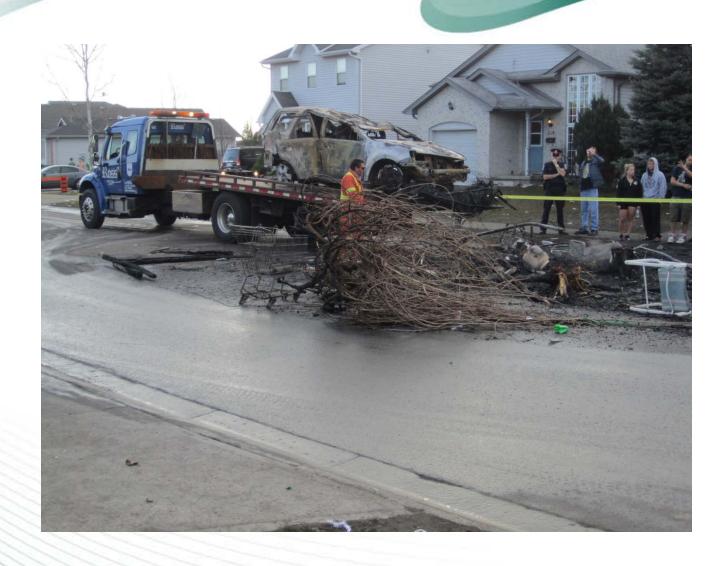














Definition

 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:



- 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;



- 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.



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



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



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.



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



QUESTIONS

