

Town of Truro – Bylaws

Subject: Public Places Bylaw
Bylaw Number: B130-006
Approval Date: June 12, 2006
Departments: Police Department

Title

1. This Bylaw is entitled the “Public Places Bylaw”.

Definitions

2. In this Bylaw:
 - (1) “Loiter” means to stand idly around or move slowly about or to linger or spend time idly or to impede the passage of other persons;
 - (2) “Public Places” means:
 - (a) Streets;
 - (b) Public parks or trails;
 - (c) Property owned by the Town; and
 - (d) Recreation facilities funded or partially funded by the Town.
 - (3) “Roadway” means that portion of a street between the curb lines or the traveled portion of a street designed for vehicular traffic and, except where the context indicates otherwise, includes a crosswalk;
 - (4) “Sidewalk” means that portion of a street between the curb line and the adjacent property line or any part of a street especially set aside for pedestrian travel and separated from the roadway;
 - (5) “Solicit” means to request, in person, an immediate donation of money or other thing of value, and includes providing a service without being expressly requested to do so in the expectation or hope of obtaining a donation or payment for that service;
 - (6) “Street” means a public street, highway, road, lane, sidewalk, thoroughfare, bridge, square and the curbs, gutters, culverts and retaining walls in connection therewith and, without restricting the generality of the foregoing, includes the full right-of-way width and includes streets not owned by the Town;
 - (7) “Town” means the Town of Truro.

Loitering

3. No person shall loiter in a public place in a manner which obstructs or disturbs other persons.

Soliciting Donations

4. (1) In this section, “aggressive manner” means a manner that is likely to cause a reasonable person to be concerned for his or her safety or security.
 - (2) No person shall solicit in an aggressive manner in a public place.
 - (3) Without limiting subsection (1) or (2), in the absence of evidence to the contrary, a person who engages in one or more of the following activities shall be deemed to be soliciting in an aggressive manner for the purposes of this section:
 - (a) Threatening the person solicited with physical harm, by word or gesture or other means, during the solicitation or after the person solicited responds or fails to respond to the solicitation;
 - (b) Obstructing the path of the person solicited during the solicitation after the person solicited responds or fails to respond to the solicitation;
 - (c) Using abusive language during the solicitation or after the person solicited responds or fails to respond to the solicitation;
 - (d) Proceeding behind, alongside or ahead of the person solicited during the solicitation or after the person solicited responds or fails to respond to the solicitation;
 - (e) Soliciting while intoxicated by alcohol or drugs;
 - (f) Continuing to solicit a person in a persistent manner after the person has responded negatively to the solicitation.
5. No person shall, in a public place:
 - (1) Solicit a person who is using, waiting to use, or departing from an automated teller machine;
 - (2) Solicit a person who is using or waiting to use a pay telephone or public toilet facility;
 - (3) Solicit a person who is waiting at a taxi stop;
 - (4) Solicit a person who is in the process of getting in or out of a vehicle;
 - (5) While on a roadway, solicit a person who is in a stopped or parked vehicle.

Penalties

6. Any person who contravenes any provision of this Bylaw is punishable on summary conviction by a fine of not less than \$50.00 and not more than \$1,000.00 and to imprisonment of not more than 30 days in default of payment thereof.