



BY-LAW N° 563

SECURITY, PEACE & GOOD ORDER – RMH 460

WHEREAS Council wishes to replace the by-law to ensure the peace, good order, good management and general well being on the territory of the Town of Hudson;

WHEREAS a notice of motion was duly given at the regular Council meeting held on July 6th, 2009;

WHEREAS the requirements of Article 356 of the Cities and Towns Act have been met and that council declares having read By-Law N° 563 and relinquishes its reading;

THEREFORE, it is **moved** by Councillor Gordon Drewett, **seconded** by Councillor Madeleine Hodgson and unanimously resolved that by-law bearing number 563 be adopted and decreed as follows:

PART I – GENERAL PROVISIONS

1. **“Title of By-law”**

This by-law is titled “*By-Law concerning Security, Peace & Good Order – RMH 460*”

2. **“Definitions”**

For the purpose of this by-law, the following words mean:

1. **Special Activity:** An activity recognized as such by Council.
2. **Public road:** Streets, roads, alleys, places, bridges, footpaths or cyclable paths, sidewalks, road allowances or any other areas that is not public domain and any other installation or usage, including a ditch, which are useful for their development, operation or management.
3. **Private Area:** Any area that is not a public area as defined in this article.
4. **Public Area:** A public area that the public can access such as stores, places of worship, health centres, schools, community centres, municipal and government buildings, public areas, parks or any other establishments that offer services to the public.
5. **Officer:** Any physical person designated by Council and all members of the Sûreté du Québec may be in charge of the application of this By-Law in part or in its entirety.
6. **Parking adjacent to a public area:** Property owed, bought or managed by the municipality that is connected to a public area for the parking of motor vehicles.
7. **Meeting, parade or other gatherings:** mean any group of more than three (3) people for the application of the present by-law.

3. **“Authorization”**

The Municipal Council authorises, by resolution, any authority having jurisdiction to deliver, on behalf of the municipality, a ticket for an infraction to the provisions of this by-law.

4. **“General”**



No one may trouble, disturb or hinder, in any way, the peace of residents on their property or the peace of people circulating or being in a public area.

Everyone must abide to the signs installed in a public area, by the proper authorities.

5. "Fire, Fireworks and Firecrackers"

No one may light fires in a public area not intended for this purpose unless a special activity is held.

No one may use or allow to be used, any fireworks in a public area not intended for this purpose unless a special activity is held.

No one may use or allow to be used, any fireworks in a private area without having first obtained a permit from the municipality.

No one may use or allow to be used, any firecrackers in a public area.

6. "Presence in a public area"

No one may sleep, reside, beg, roam or loiter in a public area, without a reasonable excuse.

7. "Municipal Council"

No one may trouble, disrupt or inconvenience, in any way, the holding of a Council meeting.

8. "Religious Service"

No one may trouble, disrupt or inconvenience, in any way, the holding of a religious gathering or service.

9. "School"

No one may, without a reasonable motive, be found on school property on school days, that is Monday through Friday, between 7:00 a.m. and 5:00 p.m. and everyday between 11:00 p.m. and 7:00 a.m.

10. "Commotion"

No one may disturb the peace or public order at meetings, parades or other gatherings held in a public area.

For the purpose of this article, the expressions "meetings", "parades" or "other gatherings" mean any group of more than three (3) people.

11. "Knives"

No one may be carrying a knife, a machete, or a stick, in a public area, without a reasonable excuse.

Self-defence does not constitute a reasonable excuse.

12. "Violence"

No one may fight, struggle or use violence in any other manner, in a public area.

13. "Projectiles"

No one may throw stones, snowballs, bottles or any other projectile in a public area.

14. "Miniature Planes"



No one may use one or more miniature planes in a public area.

15. “Alcoholic Beverages”

No one may drink alcoholic beverages or have in her/his possession an unsealed container, in a public area, except during a special activity for which the municipality has lent or rented the public area or at an activity for which a permit for the sale of alcoholic beverages was issued by the competent authority responsible for the issuance of liquor permits.

16. “Drukenness”

No one may be found drunk in a public area, except on the premises for which an alcohol permit was issued by the competent authority responsible for the issuance of liquor permits.

17. “Drugs”

No one may use or be found under the influence of drugs or other substance in a public area.

18. “Indecency”

No one may urinate or defecate in a public area elsewhere than in the proper installations.

No one may be nude or be dressed in an indecent manner in a public area.

19. “Safety Zone”

No one may cross or be found inside a safety zone established by the proper authority by means of signalling (ribbon, indicator, barrier, etc) unless being specially authorized.

20. “Parks or adjacent parking”

No one may visit municipal parks or it's adjacent parkings between 11:00 p.m. and 7:00 a.m. without authorization from the municipal council.

The proper authority may, when he/she deems it necessary, prohibit access to the parks or it's adjacent parkings, for public security reasons.

21. “Being in a private area”

No one may be in a private area without having been authorised by the owner or without a legitimate excuse.

22. “Leave a public area”

No one may refuse to leave a public area when requested to do so by the person in charge of surveillance or responsible for the premises or by an officer in the exercise of his/her duties

23. “Insults”

No one may insult or swear at a police officer, a proper authority or any other person responsible for the enforcement of municipal by-laws in the exercise of their duties

ADMINISTRATIVE AND PENAL CLAUSES



24. “Penalty”

Anyone in contravention with this by-law is liable, besides the costs:

1° for a first infraction, to a fine of a minimum one hundred dollars (\$100) and a maximum of one thousand dollars (\$1,000).

2° for each repeat infraction, to a fine of a minimum of two hundred dollars (\$200) and a maximum of two thousand dollars (\$2,000).

PART IV – MISCELLANEOUS PROVISIONS

25. “Sandy Beach Park”

No one may visit the Sandy Beach Park between 9:00 p.m. and 6:00 a.m.

26. “A.T.V. and other means of motorized transport”

No one may circulate with an All-terrain vehicle (A.T.V.) or any other means of motorized transport in the parks and public places.

27. “Replacement”

This by-law replaces By-law N° 465 “Security, Peace & Good Order – RMH 460” adopted July 19th, 2004.

This replacement will not affect any pending cases, legal proceedings and infractions committed before the coming into force of this by-law.

28. “Coming into Effect”

This by-law will come into force according to the law.

Original signed: *Élizabeth A. Corker, Mayor*

Louise L. Villandré, Director General

Certified extract

Louise L. Villandré, o.m.a.
Director General/Greffier