



ADMINISTRATIVE COMPILATION

BY-LAW NUMBER 42-2003

CONCERNING THE MAINTENANCE OF PUBLIC PEACE AND GOOD ORDER THROUGHOUT GATINEAU

Adoption by the Municipal Council: July 10, 2003

Coming into force: July 12, 2003

Amendments: by the following by-laws

By-law number	Date of Approval by the Municipal Council	Date of Coming into Force
42-1-2004	2004 06 01	2004 06 09
42-2-2004	2004 09 07	2004 09 13

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FOREWORD

The reader is hereby notified that any error or omission in the following text does not detract from the enforceability of the by-laws or amendments included herein, as approved in their original approved version.

A publication of the Service du greffe



BY-LAW NUMBER 42-2003

BY-LAW NUMBER 42-2003 CONCERNING THE MAINTENANCE OF PUBLIC PEACE AND GOOD ORDER THROUGHOUT GATINEAU

WHEREAS the Municipal Council is authorized to make by-laws to ensure peace, order and good government, health and general well-being;

WHEREAS the Municipal Council considers it timely and in the public interest to revise the current by-law on the maintenance of public peace and good order adopted by the former cities of Aylmer, Buckingham, Gatineau, Hull and Masson-Angers which Ville de Gatineau succeeded;

AND WHEREAS notice of presentation number AP-2003-760, which is to precede the adoption of the by-law, was issued at the July 8, 2003 session of the Municipal Council:

NOW THEREFORE the Municipal Council of Ville de Gatineau enacts the following:

CHAPTER 1 **INTERPRETATION AND APPLICATION**

1. Definitions

Unless otherwise indicated by the context, the following definitions apply:

- 0.1° **“Firearm”**: Any weapon that can shoot lead, bullets or any other projectile through a barrel and that can cause serious bodily injury or death; (*arme à feu*)
- 0.2° **“Building”**: Any built structure intended to house or shelter people, animals or objects; (*bâtiment*)
- 0.3° **“Hunting for educational purposes”**: Any hunting activity permitted under subsections **5(11) and (12)** of the *Migratory Birds Regulations*, C.R.C., c.1035; (*chasse éducative*)
- 0.4° **“Public road”**: Any surface whose maintenance is the responsibility of a municipality, a government or one of their organizations, and on which one or more roads have been built for public automobile traffic and one or more bicycle paths; (*chemin public*)
(By-law number 42-2-2004)
- 1° **“Immovable property”**: A land or building; (*immeuble*)
- 2° **“Public place”**: A place that is accessible and open to the public, with or without any explicit or implicit invitation, and includes, but is not limited to a park, **playground**, tennis court, beach, pool, community or recreational centre, a commercial building or a public building. (*lieu public*)

- 3° **“Park”**: A park, playground, rest area, green space, square, garden, outdoor centre, public swimming area, beach, sauna, gymnasium, restroom, tennis court, water source or other immovable structure in it that is within the city limits and is used by Gatineau for these purposes. (*parc*)
- 4° **“Vehicle”**: A vehicle that is drawn, moved or propelled by any means other than muscle power, including railway stock. (*véhicule*)
- 5° **“Public right-of-way”**: Land maintained by or for a public organization and that is used for traffic, in particular but not limited to, a road, street, sidewalk, bridge, pedestrian pathway, bike path, **snowmobile** trail, hiking trail or public parking lot. (*voie publique*)

2. **Scope**

This by-law applies **throughout Gatineau**.

CHAPITRE 2 **MAINTAINING PUBLIC PEACE AND GOOD ORDER**

- 3. Any person who disrupts, obstructs or hinders the passage of pedestrians or traffic by standing still, parking, wandering or loitering on **rights-of-way** and in public places is committing an offence.
- 4. Any person who stays or loiters on a **right-of-way** or in a public place while drunk or under the influence of street drugs or hallucinogens is committing an offence.
- 5. Any person who takes part in or is part of a gathering, demonstration or crowd on a **right-of-way** or in a public place and performs gestures or actions, or behaves in a manner or says things that cause noise, trouble or disorderliness, or threatens the peace, safety and public order, or molests or shoves other people who are also using the public **right-of-way or** place, or interferes with the movement, access or presence of these people is committing an offence.
- 6. Any person who, explicitly or implicitly refuses to leave or resists leaving the right-of-way or public place against the order of a peace officer while participating in or being part of a gathering, demonstration or crowd on a right-of-way or in a public place that involves gestures, actions, behaviour or statements that cause noise, trouble, disorder or threaten public peace or safety, or the public order is committing an offence.
- 7. Any person who disturbs the peace of people by shouting, swearing, arguing, fighting or otherwise is committing an offence.
- 8. Any person who voluntarily gives or triggers an alarm or calls, without a sound reason, the Service de police or the Service de sécurité incendie is committing an offence.
- 9. Any person who draws or allows to be drawn graffiti or tags on any building, house, structure, wall, fence or any other place, unless authorized to do so by Gatineau is committing an offence.
- 10. Any person who begs in or on a public place or right-of-way is committing an offence.
- 11. Any person who enters a building or municipal or private land, where that person is not known and refuses to leave at the request of a person in authority or in charge of the building is committing an offence.

For the purpose of this section, the mere presence of the person who has been notified after the request to leave in the previous paragraph, in or on the immovable property in question, and regardless of the duration of that person’s presence, constitutes a refusal to leave.

CHAPTER 3 **PUBLIC PLACES**

12. Access to parks is prohibited between 10 p.m. and 6 a.m.

This provision does not apply if other times are expressly provided for certain parks, including but not limited to, pools, beaches or gymnasiums or during special activities.

13. It is prohibited to interfere in any manner whatsoever with the work of Gatineau employees who have been assigned to work in a public place or on a public right-of-way.

14. It is prohibited to play a game or sport or conduct an activity anywhere other than in the places that have been expressly designated for this purpose.

15. It is prohibited for any person to consume alcoholic beverages in a public place or on a public right-of-way.

This provision does not apply in cases where the consumption is permitted as a result of a valid permit issued by the Régie des alcools, des courses et des jeux.

16. It is prohibited for any person to urinate in a public place or on a public right-of-way other than in places that are specifically designated for this purpose.

17. It is prohibited for any person to damage municipal property, in particular but not limited to, a fence, sign, shelter, seat, street lamp, lawn, tree or plants located on or in a public place in Gatineau.

18. It is prohibited to swim in or allow an animal to swim in a fountain or a pool.

CHAPTER 4 **USE OF PYROTECHNIC SUPPLIES**

19. It is prohibited for anyone to use, **instruct someone to use**, light or detonate a firecracker, rocket missile, Roman candle, torpedo or any other similar firework.

The prohibition stipulated in the first paragraph does not restrict the use of functional pyrotechnics in emergency situations in the form of appropriate signal flares or distress flares.

The prohibition stipulated in the first paragraph does not apply to the bearer of a pyrotechnics permit recognized under the applicable statutory provisions, who is using the pyrotechnic supplies on a safe site that has been approved by the Service de sécurité incendie.

CHAPITRE 5 **WEAPON**

20. It is prohibited for anyone to be on a public right-of-way or in a public place or in a vehicle while having in his or her possession or on his or her self a knife, weapon, machete, sling-shot, bow or any other similar object without a sound reason.

- 20.1 It is prohibited for anyone to use or discharge a crossbow, bow and arrow or firearm within Gatineau other than as a member of a shooting or archery club for target practice in an area designated for this purpose.

Notwithstanding the preceding, this prohibition does not apply in the following cases:

- 1° hunting wildfowl in the areas to the east of rivière Blanche and south of route 148, as indicated in Schedule 1 to this by-law; and

2° for educational hunting of wildfowl in baie Labyrinthe, baie Murphy or baie la Crique, as indicated in Schedule 1 to this by-law.

Any person engaged in activities authorized under the previous paragraphs shall use a firearm listed in section 15 of the *Migratory Birds Regulations*, C.R.C., c.1035, and shall not fire within 100 metres of a public road or of any building.

Nothing in the preceding is to be interpreted as preventing a peace officer carrying out his or her duties from using a firearm supplied to the peace officer by his or her employer in accordance with the employer's policy on the use of firearms.

(By-law number 42-2-2004)

CHAPTER 6

PENAL PROVISIONS AND SANCTIONS

21. The Municipal Council authorizes in general terms the official in charge to take legal action against anyone who contravenes any provision in this by-law, and authorizes in general terms and as a consequence an official in charge to issue a ticket for this purpose, such official being in charge of enforcing the by-law.
22. The official in charge of enforcing this by-law is authorized to visit and inspect, at any reasonable hour, any real or other property, as well as the inside or outside of any house, building or structure to assess compliance with this by-law, and any owner, tenant or occupant of the property, house, building or structure shall give the official access thereto.
23. Any person who contravenes this by-law is committing an offence, and is liable to a minimum fine for a first offence of \$200 if the person is a physical person, and \$500 if the person is a legal entity, for a repeat offence of \$400 if the person is a physical person, and \$1,000 if the person is a legal entity.

Any cost of legal action is in addition to these fines.

The timelines for the payment of fines and costs under this section and the consequences of failure to pay these fines or costs within the prescribed period are set in accordance with the *Code of Penal Procedure*, R.S.Q. c. C-25.1.

For every day that an offence continues, it is counted as a separate offence.

CHAPTER 7

REPEAL AND COMING INTO FORCE

24. Peace officers in Gatineau are in charge of monitoring compliance with this by-law and of enforcing it.
25. The following by-laws are hereby repealed:
 - 1° by-law number 507-89 of the former City of Aylmer and its amendments;
 - 2° by-law number 95-0008-00 of the former City of Buckingham and its amendments;
 - 3° by-law number 561-89 of the former City of Gatineau and its amendments;
 - 4° by-law number 385 of the former City of Hull and its amendments;
 - 5° by-law number 284 of the former City of Hull and its amendments;
 - 6° by-law number 203 of the former city of Masson-Angers and its amendments; and

7° by-law number 211 of the former city of Ville de Masson-Angers (by-law number 42-2-2004)

26. By-law number 671 of the former City of Hull to prevent the disruption of pedestrians and traffic and the disturbance of the public peace in the streets is amended by deleting sections 1, 2 and 3;
27. By-law number 779 of the former City of Hull concerning good order in parks and playgrounds in the city is amended by deleting paragraph 3(a)(1) and paragraphs 3(b)(1) and (2).
28. **Coming into force**

This by-law comes into force pursuant to the Act [quelle loi?].

BY-LAW ADOPTED BY THE MUNICIPAL COUNCIL ON JULY 10, 2003

**PAUL MORIN
COUNCILLOR AND CHAIR OF THE
MUNICIPAL COUNCIL**

**SUZANNE OUELLET
GREFFIER**