



CITY OF MOOSE JAW

Office Consolidation

MISCELLANEOUS BYLAW

Bylaw No. 4423

Date of Passage October 27, 1986
(effective date October 27, 1986)

Including amendments to September 11, 2017

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposes of interpretation and application of the law.

This Bylaw has been consolidated under the authority of the City Clerk. It represents proof, in absence of evidence to the contrary of:

- (a) the original bylaw and of all bylaws amending it; and**
- (b) the fact of passage of the original and all amending bylaws.**

AMENDMENTS

DATE PASSED

FORCE/EFFECT

Bylaw No. 4653
Bylaw No. 4808
Bylaw No. 4860
Bylaw No. 5277
Bylaw No. 5340
Bylaw No. 5543

July 16, 1990
July 26, 1993
October 3, 1994
September 10, 2007
May 17, 2010
September 11, 2017

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July 26, 1993
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BYLAW NO. 4423

A BYLAW OF THE CITY OF MOOSE JAW
FOR THE PURPOSE OF ESTABLISHING CERTAIN
MISCELLANEOUS REGULATIONS FOR THE PEACE,
ORDER AND GOOD GOVERNMENT OF THE CITY OF
MOOSE JAW AND FOR PROMOTING THE HEALTH,
SAFETY, MORALITY AND WELFARE OF THE
INHABITANTS OF THE CITY OF MOOSE JAW

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF MOOSE JAW ENACTS AS FOLLOWS:

1. In this Bylaw:
 - a) "**bench mark**" - means a mark in the form of a plaque or sign that is affixed, annexed, or inserted in pavements, buildings or personal property within the City of Moose Jaw which indicates that the ownership of the property to which the same are annexed is in the City of Moose Jaw and which contain thereon other appropriate data for the convenience of the City of Moose Jaw and the general public;
 - b) "**boulevard**" - means that portion of the street between the curb line or the lateral lines of a roadway and the abutting property line, exclusive of the sidewalk;
 - c) "**public place**" - means any place that is ordinarily accessible to the public, including, without restricting the generality of the foregoing, any public building, street, lane, sidewalk, boulevard, park, parkland, or Public Reserve;
 - d) "**civic election**" - means an election as defined in *The Local Government Election Act*, as amended.

(Bylaw No. 4423 and Bylaw No. 4860)
2. No person shall remove, alter, scratch, deface, or in any way injure or alter any bench mark.

(Section 3 repealed by Bylaw No. 5543)

4. No person shall put on any sidewalk, boulevard or other public place any nails, tacks, glass or other material that might cause injury to any person or damage to any tires of any vehicle or bicycle.
5. No person shall throw or drop on any sidewalk, boulevard or other public place a burning match, burning ashes of a pipe, a lighted cigar or cigarette or any other burning substance.
6. No person shall cause or allow any part of the load of a loaded vehicle to drop onto any sidewalk, boulevard or other public place.
7. No person shall expectorate or spit on any sidewalk, boulevard or other public

place.

8. No person shall unlawfully cut, break, or bark, root up or otherwise destroy or damage the whole or any part of any tree, sapling or shrub growing in any public place within the City.
9. No person shall break, tear up or remove any planking, pavement, sidewalk, curbing, macadamizing or other road surface, or make any excavation in or under any street or sidewalk in the said City for purpose of building or otherwise, without first having obtained permission from the City Engineer so to do, and without having the certificate and permit of the Building Inspector if it be for any building or erection, and such permit being granted, the work shall be done under the direction of the City Engineer, and shall under the same instruction be replaced as laid and made good by the parties interested in such work, and such removal shall not be allowed to continue longer than is absolutely necessary or beyond the time of the permission or permit and in every case where permission is granted aforesaid, the party to whom the same is granted shall be held responsible for any and all accidents or damages that may occur to any person or property by reason thereof, and that the person obtaining such permission shall keep and maintain proper lights and watchmen and shall take such further care and precaution as may be necessary for the protection and safety of the public.
10. Where any opening, coal chute, or other area has heretofore been made or constructed under or in any sidewalk or pavement laid on any street, lane, boulevard or other public place with the permission of the Council, the owners or occupiers of the properties connected with the opening, coal chute or area shall keep all such areas, openings and coal chutes in good and sufficient repair, and the owners or occupiers of the properties shall ensure that the sidewalk or pavement shall be sufficiently reinforced at all times to prevent the collapse of the sidewalk or pavement into the area, opening or coal chute as the case may be.
11. Where any opening, or other area has heretofore been made or constructed with the permission of the Council, under or in any sidewalk or pavement laid on any street, lane, boulevard or other public place, no person shall place any boiler, furnace or other dangerous apparatus or explosive within the area or opening.
12. No person other than a public utility company shall erect any pole, post, pillar or other similar structure intended for carrying any wire for telephones, telegraph or electricity on any street, boulevard or other public place.
13. No owner or occupant of any house or other premises, except a public hall, shall allow any door or gate to swing out over any part of any sidewalk or street within the City.
14. No person shall erect or maintain an awning which shall extend over any street or sidewalk in the City unless the lowest portion of the projecting frame of said awning be not less than 2.3 metres above the sidewalk or street and unless the lowest portion of the curtain or any portion or part of the said awning be not less

than 2.1 metres above the street or sidewalk.

15. No person shall deface or disfigure any public or private building, wall, fence, sidewalk, railing, sign, monument, post or other property by cutting, breaking, daubing with paint or any other substance or in any way injure the same in any part of the City.
 16. No person shall climb any fence, lamp post, tree or other erection around any tree on or along any street, boulevard or other public place in the City.
 17. No person shall cultivate, plow or cut up or do anything whatsoever to any street or other public place in the City without permission from the Council of the City.
 - 18(1) No person shall fire or discharge any gun, air-gun, carbon dioxide powered gun, fowling piece or firearm within the City.
 - (2) Notwithstanding subsection (1) of this section, air-guns and carbon dioxide powered guns may be discharged on the premises of any licensed operator of any recreational outdoor adventure game, that involves the use of such guns, and for which the operator is licensed.
 - (3) Notwithstanding anything contained in subsection (1) of this section, nothing in subsection (1) shall apply to:
 - (a) any peace officer carrying out his duties; or
 - (b) any member of Her Majesty's Armed Services participating in any authorized parade or ceremony; or
 - (c) any person discharging any starting pistol at any sporting event; or,
 - (d) any other person authorized by the Council or the Chief of Police to discharge any gun, air-gun, carbon dioxide powered gun, fowling piece or firearm within the City.
- (Bylaw No. 4423 and Bylaw No. 4653)*
19. No person shall use or discharge any slings, catapults, bows and arrows or other similar weapons in any park or other public place.
 20. No person shall strike, injure, maim or kill any birds or animals in any park or other public place, except as may be specifically permitted by resolution of the Council.
 21. No person shall place or deposit on any park, boulevard, or other public place, any building material whatever or any article or things which would obstruct or cause damage thereto or prove offensive or detrimental to the management of the park, boulevard or public place, as the case may be.
 22. No person shall throw any dead animal or offensive matter or substance of any kind into any park or lake, stream, pool or pond or other public place within the City of Moose Jaw.
 - 23(a) Subject to subsection 24(b), no person shall affix or post any signs, posters, notices or other advertising devices of any kind, whether the notices are printed or

otherwise displayed, in any public building or other public place, except as may be specifically authorized by resolution of Council or by law.

- (b) During an election, persons may affix, place or post political signs including election signs, political posters, notices and election advertising on land owned by or under the care and control of the City of Moose Jaw subject to the following restrictions:
- (i) political posters may be placed on any vacant land owned by the City of Moose Jaw and rights of way under the care and control of the City of Moose Jaw but may not be placed on any City-owned buildings, bridges, bus shelters, play structures, or park benches;
 - (ii) political signs may be placed on utility poles owned by the City of Moose Jaw but not on traffic poles, traffic light standards, parking meter poles or any pole supporting a sign intended to direct vehicular traffic;
 - (iii) political signs may be placed on the boulevard adjacent to City streets and roadways provided such signs do not impair sight lines for vehicular or pedestrian traffic or damage underground irrigation equipment or utilize a support stake extending more than 12" underground;
 - (iv) political signs may not be placed on any street, median or any barrier dividing the traveled portion of a street or roadway;
 - (v) notwithstanding any of foregoing, no more than one (1) political sign per candidate may be posted every One Hundred (100) metres on City-owned land or right of ways.

(Bylaw No. 4860 and Bylaw No. 5277)

- 24. No person shall pull down or deface any signs, posters or notices that are lawfully affixed to any private land or buildings or to any public buildings or other public place.
- 25. No person shall deface any private or other land, buildings or other structures by printed or other notices.
- 26. No person shall injure or deface or destroy any notice, rules or regulations for or pertaining to the government of the City, or any Department thereof, which are posted or affixed by order of the Council, Commissioners, Parks Board or other Board or Departmental Head, within the City.
- 27. No person shall cut, break or in any way injure or deface the trees, shrubs, plants, turf or any of the buildings, structures, fences, seats or benches or ornaments of any kind, within any park, or in any way foul or pollute any fountain, lake, stream, pool, well or spring within any park.
- 28. No person shall use any park for his business purposes and no business of any kind shall be carried on within any park, except where authorized by the Director of Parks and Recreation, or his designate.

(Bylaw No. 4423 and Bylaw No. 4808)

- 29. No person shall play at any game whatsoever in any of the parks or boulevards,

provided, however, that ball, cricket, law tennis, croquet and other game of recreation may be played upon such portions of said parks as may be designated from time to time by City Council and under such rules and regulations as it may prescribe.

30. No person shall walk, run, cross or play any game on any boulevard or grass plot on any park or public place in the City, except such portion or portions of any such park as may be set aside for public use.
31. No person shall climb or walk upon any wall or fence within any park or other public place.
32. No person shall cross or travel upon any grass or lawn where signs are posted prohibiting such crossing.
- 33(1) No person shall drive or operate in a reckless or dangerous manner a motor boat, whether equipped with an inboard or outboard motor, upon any part or portion of the Moose Jaw River which lies within the City limits.
- (2) No person shall place or erect any boat house in any public place abutting the Moose Jaw Creek.
- 34(1) Except for horses, no person shall ride or drive any animal or animals on any street or in any public place.
- (2) No person shall ride, drive or lead any horse within the City of Moose Jaw except on a public highway and in conformity with the provisions of the Traffic Bylaw and the Vehicles Act.
- (3) Notwithstanding Subsection (2) of this Section, horses may be ridden, driven, or led on areas specifically set aside for such purpose on the Moose Jaw Exhibition grounds.
- 35(1) Every building shall have an address determined by the street abutting the front entrance and the City Engineer shall assign a number for each such front entrance.
- (2) In the case of a building having more than one front entrance, the City Engineer shall determine and assign an address for each said front entrance.
- (3) Any existing address in the City of Moose Jaw that, in the opinion of the City Engineer, gives rise to confusion, shall be given a new address and the owner of the said premises shall forthwith, upon being notified by registered mail, change the numbers on the exterior of the building to comply with the new address.
- (4) Every address number shall be placed on the exterior of the building and shall be plainly visible from the street for which the address is given.
- 36(1) Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than:
 - (a) \$2,000 in the case of an individual;
 - (b) \$5,000 in the case of a corporation.
- (2) All fines, penalties and forfeitures mentioned in this Bylaw may be recovered and enforced with costs by summary conviction before a judge and, in default of payment, the person convicted may be imprisoned for a term of not more than 90

- days, unless the fine or penalty are paid sooner.
- (3) This Bylaw may be enforced, and the contravention of any provision of the bylaw restrained, by any court on action brought by the City of Moose Jaw, whether or not any penalty is imposed for the contravention.
 - (4) Conviction of a person for a contravention of any provision of this bylaw does not relieve him from compliance with the bylaw, and the convicting judge or justice of the peace shall, in addition to any fine imposed, order the person to perform, within a specified period, any act or work necessary for the proper observance of the bylaw or to remedy the contravention of the bylaw.
 - (5) A person who fails to comply with an order made pursuant to subsection (4) within the period specified in the order, is guilty of an offence and liable on summary conviction to a fine of not more than \$250 for each day during which the failure continues, to imprisonment for a term of not more than 90 days or to both such fine and imprisonment.
37. Bylaw Nos. 571, 1582, 1668, 2403, 2749 and 4372 are hereby repealed.
38. This Bylaw comes into force and effect upon the date of its passage.

READ a first time the 27th day of October, A.D. 1986

READ a second time the 27th day of October, A.D. 1986

READ a third time the 27th day of October, A.D. 1986

SCHEDULE A

Section	Description of Offence	Part	VP
4	Place nails, tacks, glass or other material to cause damage or injury on a sidewalk, boulevard or other public place	III	\$100.00
5	Place burning substance or ashes or cigarettes on sidewalk, boulevard or other public place	III	100.00
6	Insecure load on vehicle which drops on any sidewalk, boulevard or other public place	III	100.00
7	Expectorate or spit on sidewalk, boulevard or other public place	III	85.00
8	Destroy or damage any tree or shrub	III	85.00
12	Place electrical cord over sidewalk or street	III	60.00
15	Defacing any public or private building, wall, fence, sidewalk, railing, sign, monument, post or other property	III	150.00
16	Climb any fence, lamp, post, tree or erection		60.00
18(1)	Fire or discharge any gun, air gun, CO-2 gun or firearm within the City	III	85.00
19	Use or discharge any sling catapult, bow and arrow or similar weapon in any park or public place	III	85.00
20	Strike, injure, maim or kill any bird or animal in any park or public place	III	200.00
28	Use any park for business purpose unless authorized by Council	III	85.00
31	Climb or walk on any wall or fence within any park or public place	III	85.00
33(1)	Drive or operate in a reckless or dangerous manner a motor boat, upon any part of the Moose Jaw River in City Limits	III	100.00

(Bylaw No. 5340)