

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 6460, 1998

A Bylaw to Regulate and Control Panhandling

THE CITY COUNCIL of the Corporation of the City of New Westminister in open meeting assembled HEREBY ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Panhandling Bylaw No. 6460, 1998”.

2. In this Bylaw:

“**automated teller machine**” means a device linked to a financial institution’s account records which is able to carry out transactions, including, but not limited to, account transfers, deposits, withdrawals, balance inquiries, and mortgage and loan payments;

“**bus stop**” means a section of street which is reserved for the loading and unloading of buses and where parking and stopping of all other vehicles is prohibited;

“**panhandle**” means to beg for, or, without consideration ask for, money, donations, goods or other things of value whether by spoken, written or printed work or bodily gesture for one’s self or for any other person but does not include soliciting by the holder of a solicitation permit issued by the City of New Westminister;

“**street**” means any roadway, sidewalk, boulevard, place or way which the public is ordinarily entitled or permitted to use for the passage of vehicles or pedestrians and includes a structure located in any of those areas;

“**traffic control signal**” means a traffic control signal as defined in the *Motor Vehicle Act, R.S.B.C., 1996 c. 318*;

“**trust company**” means an office or branch of a trust company to which *The Trust and Loans Companies Act (Canada)* applies and in which deposit accounts are held.

3. No person shall panhandle within 10 metres of:

- (a) an entrance to a bank, credit union or trust company;
- (b) an automated teller machine;
- (c) a bus stop;
- (d) a bus shelter; or
- (e) the entrance to any liquor store.

4. No person shall panhandle from an occupant of a motor vehicle which is:

- (a) parked;
- (b) stopped at a traffic control signal; or
- (c) standing temporarily for the purpose of loading or unloading.

5. No person shall panhandle after sunset on any given day.

6. No person shall sit or lie on a street for the purpose of panhandling.

7. No person shall continue to panhandle from a person, or follow a person, after that person has made a negative response.

8. Any person who does anything prohibited by this Bylaw or fails to do anything required by this Bylaw commits an offence and is liable on conviction to a fine of not more than \$2,000.

9. If any part, section, sentence, clause, phrase or word of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the Bylaw had been adopted without the invalid portion.

Adopted March 23, 1998