

CITY OF HAMILTON

NOTICE OF MOTION

PLANNING COMMITTEE DATE: February 1, 2022

MOVED BY COUNCILLOR M. WILSON.....

Nuisance Party By-law

WHEREAS, section 10 of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting: economic, social and environmental well-being of the municipality; health, safety and well-being of person; the protection of persons and property; and structures, including fences and signs;

WHEREAS, section 128 of the Municipal Act, 2001 provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances and the opinion of Council under this section, if arrived at in good faith, is not subject to review by any court;

WHEREAS, thousands of students participated in a “fake homecoming” party near McMaster University on Saturday October 2, 2021, which resulted in personal injuries, damage to property, an overturned vehicle and garbage and glass strewn throughout two neighbourhoods;

WHEREAS, there have been other situations and incidents in the city of Hamilton, including but not limited to, student orientation, St. Patrick’s Day celebrations, tail-gating parties and other sports-related celebrations, where parties quickly became uncontrollable, disruptive and dangerous to city of Hamilton residents;

WHEREAS, as a result of these types of nuisance parties, there is a significant strain put on city emergency services to ensure the safety and well-being of all residents;

WHEREAS, a number of other Ontario municipalities have implemented a nuisance party by-law that gives law enforcement personnel a mechanism to control and disperse people when an event has become a public nuisance;

WHEREAS, Municipal Law Enforcement and Hamilton Police Service have reported that they would benefit from additional enforcement options beyond those available under existing City By-law and Provincial Statutes;

WHEREAS, a Nuisance Party By-law would provide Municipal Law Enforcement and Hamilton Police Service additional tools to address the negative impacts on neighbourhoods of behaviors associated with large social gatherings.

THEREFORE BE IT RESOLVED:

That Licensing and By-law Services be requested to consult with Hamilton Police Service and other community stakeholders, to identify best practices from other Ontario municipalities, and report back in the second quarter of 2022 next steps for the development and implementation of a Nuisance Party By-law in the City of Hamilton.