

CONSOLIDATION UPDATE: JUNE 29, 2005

THE CITY OF WINNIPEG

THE OBSTRUCTIVE SOLICITATION BY-LAW
NO. 7700/2000

**A By-law of THE CITY OF WINNIPEG to control
obstructive solicitation for donations.**

WHEREAS people need a safe and civil environment in public places within the City of Winnipeg where residents and visitors may freely engage in the usual activities and enjoyments of the urban milieu;

AND WHEREAS residents and visitors in the City are entitled not to be obstructed while enjoying public places;

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:
amended 8162/2002

1. This by-law may be cited as "**The Obstructive Solicitation By-law**".

2. In this by-law:

"captive audience" means:

- (a) a person who is using, waiting to use, or departing from an automated teller machine, a bank or credit union;
- (b) a person who is using, waiting to use, or departing from a public pay telephone;
- (c) a person who is waiting at a public transit stop or taxi stand;
- (d) a person who is in or on a public transit vehicle;
- (e) a person who is in an elevator;
- (f) a person who is in an area of the downtown pedestrian walkway system designated in red on the map attached as Schedule "A" or in an area designated on the map as a future designated walkway once it is constructed and becomes part of the walkway system;

- (g) a person who is in the process of getting in, out of, on or off a vehicle, or who is in a parking lot;
- (h) a person who is seated in an outdoor area of a restaurant or bar in which food or beverages are being served.
added 128/2005

"causes an obstruction" means:

- (a) in the course of solicitation, to obstruct or impede the convenient passage of any pedestrian **or vehicular** traffic in a street;
amended 128/2005
- (b) to continue to solicit from or follow a pedestrian after that person has made a negative response to the solicitation;
amended 128/2005
- (c) to verbally threaten or insult a pedestrian in the course of or following a solicitation;
amended 128/2005
- (d) to physically approach and solicit from a pedestrian as a member of a group of three or more persons; or
amended 128/2005
- (e) to solicit a captive audience.
added 128/2005

"solicit" means to ask, whether by spoken, written or printed word, or gestures, for donations of money or other things of value for one's self or for any other person, and solicitation has a corresponding meaning;
amended 128/2005

"street" has the same meaning as in *The City of Winnipeg Charter*.
amended 8162/2002

- 3. No person shall solicit in a manner which causes an obstruction.
- 4. *repealed 8162/2002*
- 5. The City of Winnipeg By-law No. 6555/95 is hereby repealed.

DONE AND PASSED in Council assembled, this 20th day of September, 2000.

Schedule "A" to By-law No. 7700/2000

Source: City of Winnipeg Planning Department, January 2005

