THE CITY OF WINNIPEG

BY-LAW NO. 128/2005

A By-law of THE CITY OF WINNIPEG to amend the Obstructive Solicitation By-law No. 7700/2000.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. The Obstructive Solicitation By-law No. 7700/2000 is amended by this By-law.

2. Section 2 is amended by adding the following definition in alphabetical order:

"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.

3. Section 2 is further amended in the definition of "cause an obstruction":

(a) by repealing clause (a) and substituting the following:

*(a) in the course of solicitation, to obstruct or impede the convenient passage of any pedestrian **or vehicular** traffic in a street;*

(b) in clause (b), by striking out "*initial*";

(c) in clause (c), by adding "*or following a*" immediately after "*in the course of*";

(d) by striking out "*or*" after clause (c) and by adding "; *or*" immediately after clause (d); and

(e) by adding the following as clause (e):

(e) to solicit a captive audience.

4. Section 2 is further amended in the definition of "solicit", by adding "*or gestures,*" after "*spoken, written or printed word,*".

5. The Schedule attached to this By-law is added as Schedule "A" to the Obstructive Solicitation By-law No. 7700/2000.

DONE AND PASSED, in Council assembled, this day of , 2005.

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Mayor

_____
City Clerk

Approved as to content:

_____
Chief of the Winnipeg Police Service

Certified as to form:

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for City Solicitor/Manager of
Legal Services