

HIGHWAY - STREET

Chapter 675 USE OF SIDEWALKS - BUSINESS IMPROVEMENT AREA

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Article 1 INTERPRETATION

675.1.1 Sidewalk - defined

“sidewalk” means that portion of a highway at the side of or adjacent to such highway normally used for pedestrian traffic only.

675.1.2 Business Improvement Area - designated - defined

"Business Improvement Area" means the area as designated by Chapter 100 of the City of Orillia Municipal Code.

675.1.3 Vendor - defined

"vendor" includes but is not limited to a merchant, retail dealer, supplier, importer, wholesale distributor, service professionals.

**Article 2
GENERAL PROVISIONS****675.2.1 Vendor - offer for sale**

No vendor or food vendor shall offer for sale any goods, wares or merchandise on the municipally owned sidewalk in the Business Improvement Area without first having obtained the written permission of the Downtown Orillia Management Board and required permits.

675.2.2 Vendor - placement - sidewalk

No vendor or food vendor shall place any goods, wares or merchandise on the municipally owned sidewalk in the Business Improvement Area without first having obtained the written permission of the Downtown Orillia Management Board and required permits.

675.2.3 Placement - fixtures - signs

No vendor or food vendor shall place on the municipally owned sidewalk in the Business Improvement Area any fixtures, tables, chairs or signs without first having obtained the written permission of the Downtown Orillia Management Board and required permits.

**Article 3
ENFORCEMENT****675.3.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act.

675.3.2 Hinder or Obstruct

No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this Chapter, or any person lawfully acting in aid of such an Officer. Without limiting the generality of the meaning of "hinder" or "obstruct", a person shall be deemed to have obstructed or hindered an Officer in the execution of their duties if he or she:

- (a) provides false information to an Officer; or
- (b) is alleged on reasonable and probable grounds to have contravened any of the provisions of this Chapter, and fails to identify themselves to an Officer upon request.

675.3.3 Rebuttable presumption - identification

In a prosecution for a contravention of this Chapter, evidence of identification shall be presumed to be correct and accurate, unless rebutted by evidence to the contrary.

**Article 4
BY-LAW - PREVIOUS****675.4.1 By-law - previous**

By-law 436 and all amendments thereto are hereby repealed. By-law 1997-94, 11 August 1997.

Adopting By-law: By-law 1997-94, 11 August 1997.

By-law Amendments: By-law 2017-14; 13 February 2017.