

## STREET LAW SMARTS #18

### STREETS AND SIDEWALKS

#### Bicycles

The *Highway Traffic Act* and Toronto city by-laws have several rules for cyclists. Some relate to the equipment that is required. Bicycles are required to have:

- a) a working bell or horn;
- b) working brakes; and
- c) if cycling after dark, a light and white reflector strips on the front, and either a light or a reflector and red reflector strips on the back of the bike;

Other rules deal with how to ride a bike. If you are a cyclist under 18 years old, you are required to wear a helmet. Also, with the exception of small children's bicycles, you are not allowed to ride on sidewalks, along crosswalks or on areas in intersections marked specifically for pedestrians to cross.

A police officer can stop you if they suspect you of breaking any of the above rules. You must provide your name and address to the officer if asked for identification.

#### Pedestrians

Pedestrians are expected to follow rules on the street, just like drivers and cyclists. When crossing a street, if there are portions of a road marked for pedestrian crossing, then you are required to cross the street at those crossings. You also cannot cross the road at a red or yellow light, or when the "don't walk" signal is flashing (even if the counter is still counting down). If you break these rules, you can get a ticket and be fined.

#### Use of public spaces

Streets and sidewalks are public spaces and are subject to regulation by the *Criminal Code of Canada*, provincial laws, and City by-laws. You can be charged with a criminal offence if you cause a disturbance in or near a public place. Examples of causing a disturbance include:

- fighting;
- shouting, screaming, swearing or using obscene language;
- being drunk; or
- loitering in a public place that obstructs people.

There are also provincial laws regarding panhandling and alcohol in public spaces.. See **Street Law Smarts #15: Panhandling**, and **Street Law Smarts #19: Alcohol**.

Although still accessible to the public, some areas like store entrances are private property, not public spaces. If you enter or engage in activities after being told not to in these areas, you may be charged with offences under the *Trespass to Property Act*.

Some parks may be considered City of Toronto property, and city officials may issue trespass tickets. Toronto Community Housing and Toronto Transit Commission properties are other areas where you could be ticketed for engaging in activities that are prohibited or for not leaving when you are asked to leave an area. For more information on trespassing and parks, see **Street Law Smarts #16: Parks and #17: Trespassing**.

### **Streets and sidewalks by-law in Toronto**

The Toronto Municipal Code has a Chapter titled 'Streets and Sidewalks'. The Chapter makes rules about what can occur on City of Toronto's streets and sidewalks.. It is prohibited to obstruct , encumber, camp, dwell, or lodge on a sidewalk.

The City of Toronto's Interdepartmental Protocol for Homeless People Camping in Public Spaces requires that enforcement officers work with different City departments and service providers to assist you before enforcing the by-law.

The Protocol outlines a process to limit enforcement: If an enforcement officer (police or city official) receives a complaint under this by-law, they are to contact the Shelter, Housing and Support (SHS) department of the City of Toronto. The SHS is responsible for taking the lead in co-ordinating outreach services. Enforcement officers are not to approach individuals on their own, but should be accompanied by SHS outreach staff.

If enforcement is necessary, you must be given 14 days notice. Enforcement involves removing your belongings, and you can be issued a fine for the removal of your belongings. If personal items are removed, they are held for 60 days and can be reclaimed, but there will be storage and retrieval fees.

For more information on what to do if you get a ticket for any of the above infractions, see **Street Law Smarts #14: Tickets**, and contact JFCY for assistance.