

CITY OF SURREY

BY-LAW NO. 15059

- (a) WHEREAS Section 124 of the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318 provides that a municipality may by by-law provide for the regulation, control and prohibition of pedestrian traffic on sidewalks and highways;
- (b) AND WHEREAS Section 124 of the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318 provides that a municipality may by by-law provide for the regulation, control and prohibition of the stopping, standing or parking of vehicles;
- (c) AND WHEREAS the interference to pedestrian and vehicular traffic from prostitution service provision has been found to exist in proximity to residences and schools in the City;
- (d) AND WHEREAS the existence of such conditions is detrimental to the safety and welfare of other pedestrian and vehicular traffic and of the residents of the City, and contributes substantially and increasingly to the deterioration of neighbourhoods; and
- (e) AND WHEREAS the abatement of such conditions will improve the general welfare of the City.

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**Part 1
Introductory Provisions**

Title

1. This By-law may be cited as the "Surrey Prostitution Services Regulatory By-law, 2003, No. 15059".

Definitions

2. In this By-law:

"dwelling" means one or more habitable rooms which constitute one self-contained unit used or intended to be used for living and sleeping purposes;

"highway" includes all public streets, roads, ways, trails, lanes, bridges and any other public way;

"person" includes natural persons of either sex, associations, corporations, bodies politic, co-partnerships, whether acting by themselves or by a servant, agent or employee, and the heirs, executors, administrators, successors and assigns or other legal representative of such persons;

"prostitution services" means services appealing to erotic or sexual appetites or inclination in exchange for, in expectation of remuneration or payment in money;

"school - private" means a place of learning which is provided, maintained and operated principally at private expense and involves a curriculum of elementary or secondary academic instruction as governed by the *Independent School Act*, R.S.B.C. 1996, c. 216 and includes student dormitories;

"school – public" means a place of learning which is provided, maintained and operated principally at the expense of the public purse and involves a curriculum of elementary or secondary academic instruction;

"services" includes activities, facilities, performances, viewing and encounters;

"provide" when used in relation to services includes: furnish, perform, solicit, or give such services in pursuance of a trade, calling, business or occupation and "providing" and "provision" have corresponding meanings.

**Part 2
Regulation of Prostitution**

3. No person shall provide, seek or obtain prostitution services on a highway within 300 meters of a school – private or school - public.
4. No person shall provide, seek or obtain prostitution services on a highway within 20 meters of a dwelling.
5. No person shall provide prostitution services to an occupant of a motor vehicle which is:
 - (a) parked on a highway;
 - (b) stopped at a traffic signal on a highway; or
 - (c) standing temporarily on a highway.
6. No person who is an occupant of a motor vehicle which is:
 - (a) parked on a highway;
 - (b) stopped at a traffic signal on a highway; or
 - (c) standing temporarily on a highwayshall seek or obtain prostitution services.

**Part 3
Non-Compliance**

7. Every person who offends against any provision of this By-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law, or who neglects to do, or refrains from doing anything required to be done by any of the provisions of this By-law, shall be deemed to be guilty of an infraction of this By-law, and shall be liable to penalties hereby imposed.

**Part 4
Offences and Penalties**

8. Every person who commits an offence against this By-law is liable to a fine of not more than \$2,000 and not less than \$100 for each offence.

**Part 5
General Provisions**

9. This By-law shall come into force on the date of final adoption hereof.

PASSED FIRST AND SECOND READINGS on the 16th day of June, 2003.

PUBLIC HEARING HELD THEREON on the 21st day of July, 2003.

PASSED THIRD READING on the 21st day of July, 2003.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 24th day of July, 2003.

_____ MAYOR

_____ CLERK