

BYE-LAWS

For the Good Rule and Government
of the Borough.

Throughout the following Bye-laws the following expressions shall have the meanings hereinafter respectively assigned to them, unless such meanings be repugnant to, or inconsistent with, the context or subject matter in which such words or expressions occur, that is to say:

“Borough” means the Borough of Whitehaven.

“Council” means the Town Council of the Borough of Whitehaven.

“Street” means and includes any highway and any road, lane, footway, square, quay, court, alley, or passage, whether a highway or not, to which the public have access.

“Public Place” includes any park, pleasure ground, roadside waste, and any open space to which the public have access for the time being.

1.—No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 50 yards of any dwelling-house, shop, or office to the annoyance of any inmate thereof, after being requested to desist by such inmate, either personally or through his servant, or through a constable: Provided that this Bye-Law shall not apply to properly conducted religious services, except where the request to desist is made on the ground of the serious illness of any inmate of the house.

2.—No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any place of public worship or public entertainment or other place of public assembly in which persons are for the time being assembled, to the annoyance or disturbance of any person or persons so assembled, after being requested to desist by any constable, or by any person so annoyed or disturbed, or by any person acting on his behalf.

3.—No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any hospital, infirmary, convalescent home, or other place used for the reception or treatment of the sick, after being requested to desist by any constable, or by any inmate or officer of such hospital or other place, or by any person acting on his behalf.

Street Obstructions, &c.

4.—No person shall, for the purpose of hawking, selling, distributing, or advertising any article, shout or use any bell, gong, or other noisy instrument in any street or public place to the annoyance of residents or persons occupying shops, warehouses, or offices in such street or public place.

5.—No person shall, in any street or public place, for the purpose of selling or advertising any article or obtaining custom, tout or importune to the annoyance or obstruction of passengers.

6.—No person shall frequent and use any street or other public place, either on behalf of himself or of any other person, for the purpose of bookmaking or betting or wagering or agreeing to bet or wager or paying or receiving or settling bets.

19.—No person shall, in any street or public place, or on any land adjoining or near to any street or public place, use or play, or cause to be used or played, any steam organ or other musical instrument worked by mechanical means, to the annoyance or disturbance of residents: Provided that this Bye-Law shall not apply to any steam organ, or other musical instrument worked by mechanical means, used on fair or hiring days, in places appointed or sanctioned by the Council.

8.—No person shall, in any street or public place, or on any land adjoining or near to any street or public place, keep or manage, or cause to be kept or managed, a shooting-gallery, swing-boat, round-about, or any other construction of a like character, so as to cause obstruction or danger to the traffic in such street or public place.

9.—No person shall, in any street or public place, or in any place within view or hearing of any street or public place, use any indecent language or gesture, or commit, or solicit, incite or provoke any other person to commit any indecent act to the annoyance of residents or passengers.

10.—No person shall, in any street or public place, or in any place within view or hearing of any street or public place, use any threatening, abusive, or insulting language, gesture, or conduct with intent to put any person in fear or so as to occasion a breach of the peace.

11.—No person shall bathe after 8 a.m. from any pier, tongue, jetty, embankment, or other place within the Harbour of Whitehaven, or from any boat therein, without wearing a dress or covering sufficient to prevent exposure of the person.

12.—No person shall exhibit any indecent show in any street or public place, or in any place to which persons are admitted with or without the payment of money.

13.—If two or more persons assembled together wilfully obstruct the free use of any street, or wilfully jostle or annoy any foot passengers, and continue such obstruction, jostling, or annoyance after being required by a constable to desist, each such person shall be guilty of an offence, and shall be liable, on conviction, to the penalty hereinafter provided.

14.—No person shall wilfully and persistently loiter at or near the entrance of any church, chapel, or other place of public worship during the time of Divine Service, or during the assembly thereof, or departure therefrom of the congregation, or in any churchyard or cemetery during the time of a Burial Service or ceremony, in such manner as to obstruct or cause annoyance to any person or persons going to, attending at, or returning from any such place of public worship, churchyard, or cemetery.

15.—No person shall, in any street or public place, to the inconvenience or danger of passengers, carry or convey along any footpath any bag of soot, lime, or other offensive substance, or any pointed or edged tools or implements not properly protected.

16.—No person shall carry or convey along or through any street or public place the undressed carcase of any animal, or any offensive offal, unless the same be properly covered.

17.—No person shall, in any street or public place, throw or leave any orange peel, banana skin, or other dangerous substance on any footway.

18.—No person shall throw, place, or leave any bottle, or any broken glass or other sharp substance (not being road material) on or in any street or public place in such a position as to be likely to cause injury or danger to passengers, horses, cattle, or other animals, or damage to property.

19.—No person shall, in any street or public place, use any squirt or mechanical or other means for throwing any liquid at any person so as to cause annoyance to such person.

20.—No person shall practice tobogganing in any street or public place to the injury of such street or public place, or to the injury, fear, or danger of any person therein.

Posting Bills without Permission.

21.—No person shall post, paste, or affix, or shall cause to be posted, pasted, or affixed, any bill, notice, or placard in, upon or to, any house, shop, building, premises, public lavatories, drinking fountains or pumps, or any wall, fence, embankment, gate, door, pillar, tree, or post, in or abutting on any street or public place, or upon any road side, bank, or rock, without the permission of the owner or occupier or person having the charge or care thereof, or unless authorised so to do by law, nor shall any person, unless authorised so to do by law, or with such permission as aforesaid, deface by writing, scratching, or by any other marks, any such houses, shops, premises, building or things as are before specified in this Bye-Law.

Pulling down Notices, &c.

22.—No person shall maliciously or wantonly pull down, deface, or damage any authorised public notice affixed upon any building, wall, fence, gate, door, pillar, tree, or post, in or abutting on any street or public place, whereon such notice may lawfully be fixed.

Stone Throwing.

23.—No person shall, in any street or public place, project, or by any means discharge from any catapult, crossbow, sling, or other mechanical instrument or contrivance, or throw any stone or other missile, to the injury, danger, or interruption of any person, or to the injury, danger, or molestation of any animal, or to the damage of any property.

Noisy Animals.

24.—No person shall keep within any house, building, or premises, any noisy animal which shall be or cause a serious nuisance to residents in the neighbourhood. Provided that no proceedings shall be taken against any person for an offence against this Bye-Law, unless the nuisance be continued after the expiration of a fortnight from the date of the service on such person of a notice alleging a nuisance, signed by not less than three householders residing within hearing of the animal.

Penalty Clause.

25.—Any person offending against any of the foregoing Bye-Laws shall be liable to a penalty not exceeding, for the first offence, Forty Shillings; and for a subsequent offence, not exceeding Five Pounds.

MEMORANDUM.—I hereby certify that, in pursuance of the twenty-third section of the Municipal Corporations Act, 1882, the foregoing Bye-Laws were made at a Meeting of the Town Council of the Borough of Whitehaven, held on the 9th day of July, 1902, when two-thirds of the whole number of the Council were present, and that a copy of the said Bye-Laws, sealed with the Corporate Seal of the Borough, was sent to the Secretary of State, and a copy thereof was affixed on the Town Hall, Duke Street, Whitehaven, in a conspicuous place, on the 22nd day of July, 1902, and that forty days having elapsed since the said copies were sent and affixed as above stated, and the Bye-Laws, not having been disallowed by His Majesty the King in Council, have become and are now in force within the Borough of Whitehaven.

Dated this 4th day of September, 1902.

THOMAS BROWN, Town Clerk.