



CITY AND COUNTY OF THE
CITY OF EXETER

GOOD RULE & GOVERNMENT BYELAWS

Byelaws for the good rule and government of the City and County of the City of Exeter and for the prevention of nuisances, made by the Mayor, Aldermen and Citizens of the City and County of the City of Exeter, acting by the Council, in pursuance of Section 249 of the Local Government Act, 1933.

1. *Music near Houses.* 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 dwelling-house or office, after being requested to desist by any inmate or occupant thereof, either personally or through a servant, or through a constable, on account of the interruption of the ordinary occupations or pursuits of any such inmate or occupant or for other reasonable and sufficient cause : Provided that this Byelaw 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. *Music near Churches, etc.* 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. *Music near Hospitals.* 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.

4. *Organs.* No person shall, in connection with any round-about, show, exhibition, or performance, placed or held in any street or on any vacant ground adjoining or near to any street, make or cause to be made any loud and continuous or repeated noise by means of any organ or other similar instrument to the annoyance of residents or passengers.

5. *Wireless Loudspeakers, Gramophones, etc.* Any person who by operating or causing or suffering to be operated any wireless loudspeaker, gramophone, amplifier, or similar instrument,

(a) in any street or public place or in or in, connection with any shop, business premises or other place which adjoins any street or public place and to which the public are admitted, makes or causes or suffers to be made any noise which shall be so loud and so continuous or repeated as to cause annoyance to occupants or inmates of any premises or to passengers, or,

(b) in any other premises, makes or causes or suffers to be made any noise which shall be so loud and so continuous or repeated as to cause a nuisance to occupants or inmates of any premises in the neighbourhood

shall be guilty of an offence :

Provided that no proceedings shall be taken against any person for any offence against this Byelaw in respect of premises referred to in paragraph (b) thereof, 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 instrument as aforesaid.

Provided also that this Byelaw shall not apply to any wireless loudspeaker, gramophone, amplifier or similar instrument used by the Police in the execution of their duty.

~~6. *Noisy Hawking.* 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 so as to cause annoyance to the inhabitants of the neighbourhood.~~

7. *Touting.* 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.

8. *Street Photography.* No person shall in any of the streets or public places referred to in the First Schedule to these Byelaws importune any person for the purpose of taking or selling any photograph.

9. *Shooting Galleries, etc.* 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, roundabout, or any other construction of a like character, so as to cause obstruction or danger to the traffic in such street or public place.

10. *Indecent Language, etc.* 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.

11. *Violent Behaviour, etc., on School Premises.* Any person other than a teacher, child, manager, or other duly authorised person, being in or on the buildings, playground or other premises of any County School or Voluntary School, who after being requested to depart therefrom by the head teacher or the teacher acting as the head teacher of such school, refuses to depart therefrom and makes use of any violent, abusive, profane, indecent or obscene language or otherwise behaves in a disorderly manner, shall be guilty of an offence, and shall be liable on conviction to the penalty hereinafter provided.

12. *Fighting.* No person shall in any street or public place fight or provoke or incite any person or animal to fight.

13. *Indecent Bathing.* No person shall within 200 yards of any street or public place, unless effectually screened from view, bathe from the bank or strand of any water, or from any boat thereon without wearing a dress or covering sufficient to prevent indecent exposure of the person.

14. *Indecent Shows.* 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.

15. *Wilful Jostling.* 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.

16. *Loitering at Church Doors.* No person shall wilfully and persistently loiter at or near the entrance of any church, chapel, or other place of public worship to the annoyance or obstruction of any persons going to, attending at, or returning from divine service in such church, chapel or other place of public worship.

17. *Advertising Vehicles.* No person shall in any street draw, wheel or drive any vehicle used solely or chiefly for the purpose of exhibiting advertisements or carry any advertisement board so as to cause obstruction or danger to the traffic in such street.

18. *Flags.* No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over or across any street to the annoyance of residents or passengers or to the alarm of horses.

19. *Defacing Pavements, etc.* No person shall for the purpose of advertising or of disseminating news, propaganda or the like deface the footway or roadway of any street by writing or other marks.

20. *Advertising Bills.* No person shall for the purpose of advertising throw about or deposit in any street or public place any bill, placard or other paper.

21. *Waste Paper, Refuse, etc.* No person shall (1) sweep or otherwise remove from any shop or house into any street any waste paper, shavings, or other refuse, or being a costermonger, newsvendor, or other street trader throw down and leave in any street any waste paper, shavings, or other refuse ; (2) throw down and leave in any street any bill, placard, or other paper which shall have been torn off or removed from any bill-posting station.

22. *Deposit of Litter to the Detriment of Public Amenities.* No person shall (except by permission of the owner or occupier, or of the person or authority having control thereof, or unless authorised by law so to do) place or deposit and leave on or in—

(a) any highway or any roadside waste,

(b) any common, village green, park, recreation ground or other open space to which the public have access for the time being, or

(c) any water, watercourse or ditch in or abutting on any such highway, roadside waste or other place aforementioned,

any glass, china, earthenware, tin, carton, paper or other rubbish so as to create or tend to create a litter.

Provided that where an offence is committed against this Byelaw and against any Byelaw with respect to any pleasure ground, public walk, recreation ground, park, roadside waste, common, village green or open space, or any limitation or condition imposed by the Minister of Agriculture and Fisheries under Section 193 of the Law of Property Act, 1925, a person shall not be liable to more than one penalty in respect of the same offence.

23. *Orange Peel, etc.* No person shall in any street or public place throw or leave any orange peel, banana skin, or other dangerous substance on any footway.

24. *Bottles, Broken Glass, etc.* 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 to passengers or damage to property.

25. *Dogs Fouling Footways.* (1) No person being in charge of a dog shall allow the dog to foul the footway of any street or public place by depositing its excrement thereon.

Provided that a person shall not be liable to be convicted of an offence against this Byelaw if he satisfies the Court that the fouling of the footway by the dog was not due to culpable neglect or default on his part.

(2) For the purposes of this Byelaw the owner of the dog shall be deemed to be in charge thereof, unless the Court is satisfied that at the time when the dog fouled the footway it had been placed in or taken into the charge of some other person.

26. *Carrying Soot, etc.* 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.

27. *Carrying Carcasses, etc.* 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.

28. *Dangerous Games near Streets.* No person shall on any land adjoining a street play tipcat or any offensive or dangerous game in such a manner as to cause obstruction to the traffic or danger to any person in such street.

29. *Spitting.* No person shall spit on the floor, side, or wall of any public carriage or of any public hall, public waiting-room or place of public entertainment, whether admission thereto be obtained upon payment or not.

30. *Bulls.* No person shall drive or lead, or cause to be driven or led, in any street or public place, any bull exceeding the age of twelve months, unless it be properly secured and kept under proper control ; or, being the occupier of any field or enclosure through which there is a public path, permit any such bull to be at large in such field or enclosure.

31. *Noisy Animals.* 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 Byelaw 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.

32. *Contraceptives.*

- (1) It shall be an offence to offer a contraceptive for sale by means of an automatic machine so placed that it can be used by persons who are in a street.
- (2) In this Byelaw the expression " street " includes a way or place over which the public have a right of passage, and also the forecourt of or entrance to a building, provided that such an entrance or forecourt is exposed to the view of persons passing along the street, and that the public have unrestricted access to such forecourt or entrance.

33. *Preservation of Road Margins.*

- (1) No person shall without lawful authority drive or place a vehicle, or cause a vehicle to be driven or placed upon any road margin to which this Byelaw applies, in such a manner as to injure any turf or any tree, shrub or plant growing thereon.

(2) This Byelaw applies to any road margin which is :—

- (i) in or beside a public road ;
- (ii) laid or sown with grass or planted with trees, shrubs or plants and maintained constantly in good order for ornamental purposes ; and
- (iii) indicated to be a margin to which this Byelaw applies by means of notices conspicuously displayed on or near the said margin by the Exeter City Council.

34. *Penalty Clause.* Any person offending against any of the foregoing Byelaws shall be liable on summary conviction to a fine not exceeding £5, and in the case of a continuing offence to a further fine not exceeding 40/- for each day during which the offence continues after conviction therefor.

35. *Repeal of Byelaws.* The Byelaws specified in the Second Schedule to these Byelaws are hereby repealed.

FIRST SCHEDULE

Alphington Street.	North Street.
Castle Street.	Paris Street.
Cowick Street from Exe Bridge to Buller Road.	Paul Street.
Exe Bridge.	Princesshay.
Fore Street.	Queen Street from High Street to Northernhay Street.
Goldsmith Street.	Sidwell Street.
High Street.	South Street.
London Inn Square.	Southernhay East from Eastgate Square to Dix's Field.
New Bedford Street.	Upper Paul Street.
New Bridge Street.	

The first 45 feet of every highway which joins or leads to any of the streets or public places set out above, measured from the junction of the highway with that street or public place.

SECOND SCHEDULE

<i>Object of Byelaw</i>	<i>Date made by the Council</i>
Prevention of obstruction and annoyance in streets, etc. ; and for other purposes.	17th August, 1872.
Bookmaking, etc., in streets	26th September, 1900.
Noisy Animals.	12th December, 1900.
Control of bulls.	10th March, 1909.
Prohibition of spitting in public carriages, etc.	29th September, 1909.
Prohibition of obstruction by vehicles used for exhibiting advertisements ; and for other purposes.	15th May, 1912.
Noises, etc., by excursionists.	12th July, 1927.
Fouling of footpaths by dogs.	10th March, 1936.
Sale of contraceptives.	22nd November, 1949.

THE COMMON SEAL of the
Mayor, Aldermen and Citizens
of the City and County of the
City of Exeter was hereunto
affixed this Second day of
July, 1952



C. J. NEWMAN,
Town Clerk.



*I hereby confirm the foregoing byelaws
and fix the date on which they are to
come into operation as 1st November,
1952.*

DAVID MAXWELL FYFE,
*One of Her Majesty's Principal
Secretaries of State.*

*Whitehall,
29th September, 1952.*