

BOROUGH OF HYTHE

BYELAWS

**for the good rule and
government of the
Borough of Hythe, Kent**

BYELAWS

for the good rule and government of the Borough of Hythe, Kent and for the prevention of nuisances, made by the Council of the Borough in pursuance of section 249 of the Local Government Act 1933, at a meeting of the Council held on the Eighth day of April 1937.

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** - 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, after being requested to desist by any constable, or by any person as 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 roundabout, 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, &c.** - No person shall

(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 admitted, or

(b) upon any other premises

by operating or causing or suffering to be operated any wireless loudspeaker, gramophone, amplifier or similar instrument make or cause or suffer 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.

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 the hearing of the instrument as aforesaid.

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. **Shooting Galleries, &c** - 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.

9. **Indecent Language, &c** - 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. **Violent Behaviour, &c. 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 public elementary 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.

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

12. **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 exposure of the person.

13. **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.

14. **Nuisances Contrary to Public Decency** - No person shall in any street or public place to the annoyance of residents or passengers commit any nuisance contrary to public decency or propriety.

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 obstructions, 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. **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.

18. **Defacing Pavements, &c.** - No person shall for the purposes of advertising or of disseminating news, propaganda or the like deface the footway or roadway of any street by writing or other marks.

19. **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.

20. **Waste Paper, Refuse &c.** - 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.

21. **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 tidal or other water in or abutting on any such highway, roadside waste or other place aforementioned

any glass, china, earthenware, tin, carton, paper or other refuse or litter so as to affect or tend to affect injuriously the public amenities of such highway, roadside waste, common, village green, park, recreation ground, open space or water.

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.

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

23. **Broken Glass, &c.** - 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.

24. **Dogs Fouling Footways** - No person being in charge of a dog in any street or public place and having the dog on a lead shall allow or permit such dog to deposit its excrement upon the public footway.

25. **Carrying Soot, &c.** - 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.

26. **Carrying Carcasses, &c.** - 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.

27. **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.

28. **Posting Placards without Permission** - No person shall affix, or cause to be affixed, any placard upon any building, wall, fence, gate, door, pillar, tree or post in or abutting on any street or public place without the permission of the owner or occupier or person having the charge thereof, or unless authorised so to do by law, nor shall any person unless authorised by law or with such permission as aforesaid, deface by writing or other marks any such building, wall, fence, gate, door, pillar, tree, or post, as aforesaid.

29. **Spitting** - No person shall spit on the floor, side or wall 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. **Penalty Clause** - Any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding five pounds.

33. **Repeal** - From and after the date on which the foregoing byelaws come into operation, the byelaws made by Council under section 23 of the Municipal Corporations Act 1882, on 14 June 1911, shall be and are hereby repealed.

The Common Seal of the Mayor Alderman
and Burgesses of the Borough of Hythe was
hereunto affixed the eighth day of April 1937
in the presence of

HERBERT STAINER
Town Clerk

F W BUTLER
Mayor

I hereby confirm the foregoing byelaws, and fix the day on which they are to come into operation as the 1 June 1937

JOHN SIMON
One of His Majesty's Principal
Secretaries of State

Whitehall
1 May 1937