

Assessment of regulations to address nuisance parties

Executive summary

As part of the Review of Special Events By-laws, staff in the Public Policy Development Service have considered the issue of nuisance parties such as those occurring following the 2021 Panda Game and the community disturbances and property damage resulting from those parties. Specifically, staff have considered whether the City's Special Event By-laws should include additional measures to regulate against nuisance parties, or if additional by-laws such as Nuisance Party By-laws and University District Safety Initiatives should be implemented as has been the case in other Ontario jurisdictions. This document provides a preliminary assessment of possible regulatory approaches to this issue.

Preliminary research indicates that a regulatory approach to address nuisance parties may be beneficial, but that special event by-laws are not an appropriate or effective tool for dealing with these types of occurrences or with the negative impacts they may have on communities. Furthermore, staff assess that considering the development of a Nuisance Party By-law, similar to those enacted in other Ontario municipalities, would require a full by-law review for which there is currently no capacity to undertake within the current By-law Review Work Plan. Staff further assess that the City's non-regulatory solutions implemented after the 2021/2022 Panda Games have been highly successful in reducing the community nuisance and public safety impacts associated with those particular past events. As a result, staff assess that this is now a low-priority item and recommend that this issue be deferred for consideration in development of the next Term of Council By-law Review Work Plan.

Background

The issue of nuisance parties has been a particular challenge for Ontario municipalities that host a large population of post-secondary students. Some of these jurisdictions have created by-laws to address nuisance parties, or public nuisance generally, including Kingston, Hamilton, Guelph and Kitchener-Waterloo.

While not exclusive to student populations, the most severe instances of nuisance parties in Ottawa are often connected to Frosh Week or the Panda Game, or student-hosted parties during St Patrick's Day, Victoria Day, Canada Day and Halloween. An out-of-control party following the 2021 Panda Game resulted in serious property damage and seven people being taken to hospital. Municipal costs for responding to

this event exceeded \$213,000.¹ In 2022, a similar event occurred in the same location. Increased Police and By-law presence reduced property damage and public safety issues. However, severe disruption continued to occur, despite seven arrests and more than 200 tickets issued.²

In Hamilton and Kingston, Nuisance Party By-laws have also been augmented with University District Safety Initiatives. These establish specific locations and time periods in which a “zero tolerance” approach is taken regarding the enforcement of criminal offences and by-law infractions. These enhanced measures target communities with high post-secondary student populations during periods which have historically shown to present a high risk of nuisance parties.

Following the 2021 and 2022 Panda Games, City staff worked with Ottawa Police Service and community partners to assess the public order incidents that emerged from the Panda Game and identify possible regulatory and non-regulatory solutions to mitigate the disruptive behavior occurring with illegal street parties (see: [Council Inquiry OCC 21-14](#)). As a result, a partnership was established between the City, Ottawa Police, Ottawa Sports and Entertainment Group, Carleton University and University of Ottawa. Collectively, this group implemented the following new measures:

- Beginning in 2022, a pre-game tailgate party provided an opportunity for student groups to begin celebrations on site before the game. This provided students a place to party outside of the residential communities of Sandy Hill and Old Ottawa South, reducing disruptions in the morning and early afternoon.
- Beginning in 2022, a communication plan was implemented, combined with enhanced presence of police and by-law officers in these communities discouraged unruly or unsafe public gatherings.
- Beginning in 2023, the Panda Game was moved from Saturday to Sunday, and an after party at Lansdowne was added to provide a space where spectators can celebrate late into the evening.

Analysis

Large and unruly parties can cause significant disruption in communities where they occur, disturbing neighbours, disrupting mobility, and potentially causing injuries and property damage. Significant municipal expenditures to provide policing and emergency services are often required to address these occurrences. This issue is not isolated to Ottawa, or to specific events like the Panda Game. Incidents of unsanctioned and out-of-control street parties have been re-occurring problems in Guelph³, Hamilton⁴, Kingston⁵, and Kitchener-Waterloo⁶.

Addressing nuisance parties as unpermitted special events

Following a preliminary review of this area, it appears that the special event permit by-laws are not practical for addressing nuisance parties. There are enforcement challenges likely to arise in terms of identifying who is responsible for parties spilling on to streets or growing beyond the threshold where a special event permit would be required. Individuals can only be charged for not having a special event permit if they required to have one and were eligible to apply but didn't. Parties that originate in a private residence do not require a special event permit and so it would not be possible to apply the City's existing special event by-laws to address house parties that spill over into the community. Staff assess that it would not be appropriate to require a permit for house parties as this is could likely to be seen as overbroad and beyond the scope of the *Municipal Act, 2001* .

Nuisance Party By-laws

Ottawa already regulates many of the behaviours associated with nuisance properties through individual by-laws, such as the Noise By-law, Property Standards By-law or Use and Care of Roads By-law. The City may enact such nuisance by-laws in accordance with section 128 of the *Municipal Act, 2001* which provides that "Without limiting sections 9, 10 and 11, a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances". Subsection 128(2) further provides that "The opinion of council under this section, if arrived at in good faith, is not subject to review by any court".

Nuisance Party By-laws bring these problematic behaviours into a single by-law to address the specific context of the unruly parties. For example, Kingston's [Nuisance Party By-law \(No. 2018-53\)](#) defines a nuisance party as:

Nuisance Party means a gathering on Premises which, by reason of the conduct of any one or more of the Person(s) in attendance, is characterized by any one or more of the following elements:

- a. public intoxication;
- b. the unlawful sale, furnishing, or distribution of alcoholic beverages or controlled substances;
- c. the unauthorized deposit of refuse on public or private property;
- d. damage to public or private property;

- e. the obstruction of vehicular or pedestrian traffic, or interference with the ability to provide emergency services;
- f. sound that is unusual or excessive, or that is likely to be unwanted by or disturbing to persons, including but not limited to loud music or shouting;
- g. unauthorized open burning or the display of unauthorized fireworks;
- h. public fights;
- i. outdoor public urination or defecation;
- j. use of or entry upon a roof not intended for such occupancy;⁷

Section 6.1 of Kingston's By-law specifies that:

“Any Person who creates, causes, hosts, sponsors, conducts, continues or permits a Nuisance Party in contravention of this Bylaw, and any Person who permits or allows a Nuisance Party to occur on their Premises in contravention of section 4.6 of this Bylaw, shall be required to pay the fees and charges specified in Bylaw Number 2005-10, A Bylaw to Establish Fees and Charges to be Collected by The Corporation of the City of Kingston, as amended from time to time, for the attendance of an Officer, and/or an officer of Kingston Fire & Rescue, at the scene of a Nuisance Party.”⁸

In the context of student housing and rental housing generally, this means that both the occupant and the landlord may be charged and may be held responsible for the cost of police and emergency response. As noted in Hamilton's report recommending similar measures, “the inclusion of remedial costs allows for partial cost recovery for City services, may act as a deterrent for those considering hosting or creating a Nuisance Party, and may encourage property owners/landlords to amend rental lease conditions for tenants to preclude these types of nuisance behaviours on the property.”⁹ Landlords in other jurisdictions have cited this as unfair given the limits of the *Residential Tenancies Act, 2006* regarding regulating tenant behaviour, while proponents argue that it makes absentee landlords accountable for how they manage their properties and select tenants.¹⁰

While the threat of eviction is likely to be a significant additional deterrent against nuisance parties, consideration of a similar measure in Ottawa would require careful consideration to determine if such a measure is appropriate and equitable given the

declared housing emergency and assess any impact on the ability of young residents to secure housing.

University District Safety Initiatives

University District Safety Initiatives (UDSI) work in tandem with Nuisance Party By-laws. They establish specific geographic areas and dates and times where enhanced enforcement and “zero-tolerance” enforcement strategies are applied. In cities like Kingston, the UDSI is in partnership with Queen’s University. Information on charges against students are shared with the University and may be referred for Code of Conduct violations. This could result in additional penalties, including possible suspension or expulsion.

Observed impacts

The non-regulatory solutions noted above that were implemented in Ottawa have had significant positive impact on reduced community nuisance, public order and health and safety concerns in the residential neighbourhoods that have traditionally been observed in relation to unsanctioned Panda Game parties in 2023 and 2024. This approach has been regarded as a “Win-Win” between student and non-student communities and has reduced the financial burden for law enforcement and response.

The enforcement first approach, utilizing Nuisance Party By-laws and University District Safety Initiatives, however, have had mixed reviews from all vested parties. In Kingston for example, the increased enforcement efforts have not stopped the nuisance parties from occurring. Significant community disruption still occurs during Homecoming and “Fauxcoming” activities, although the number of charges issued and the reports of serious injuries and incidents have declined in 2024 over previous years.

In 2024, Kingston’s Homecoming and “Fauxcoming” weekends resulted in 324 enforcement actions, compared to 461 in 2023. The total cost for policing for these events was also reduced by 29 per cent.¹¹ In comparison, the 2022 Panda Game resulted in seven arrests and 102 provincial offences notices. In 2023, this dropped to 2 arrests for public intoxication and no significant incidents to report.¹² The cost of police response to the 2022 Panda Game was estimated at between \$300,000 and \$500,000.¹³ Policing costs remained consistent at approximately \$467,000.¹⁴ given the high degree of police presence that was deployed as a precaution.

Conclusion

Staff assess that a Nuisance Party By-law and University District Safety Initiative, or similar regulations, maybe a useful enforcement tool to help discourage nuisance parties and to mitigate impacts when they occur, subject to additional research and

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consultation with community groups, students, and universities as well as law enforcement. Specific consideration of the potential role for landlords and implications for housing security would also be required. Staff further assess that the community-based programming solutions implemented in Ottawa, such as the tailgate and after parties and increased communication, have been highly effective and have consequently reduced the priority for additional regulation. As such, staff recommend that a by-law review on this issue be considered during the development of the next Term-of-Council By-law Review Work Plan so that existing planned reviews are not displaced.

End notes

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- ¹ Sandy Hill Town and Gown Committee, **Meeting Minutes – 12 April 2022**, p. 3
- ² CTV News, “**Seven people arrested during post-Panda Game celebrations in Ottawa's Sandy Hill neighbourhood**”, (<https://ottawa.ctvnews.ca/seven-people-arrested-during-post-panda-game-celebrations-in-ottawa-s-sandy-hill-neighbourhood-1.6091347>), 01 Oct 2022, accessed 03 Jan 2025
- ³ CBC News, “Upsetting' to see students gather for street party, University of Guelph VP says” (<https://www.cbc.ca/news/canada/kitchener-waterloo/university-of-guelph-street-party-1.6190625>), accessed 20 Jan 2025
- ⁴ CBC News, “**Thousands of McMaster students fill Westdale streets with 'fake homecoming' party**”, (<https://www.cbc.ca/news/canada/hamilton/fake-homecoming-mcmaster-1.6603590>), accessed 20 Jan 2025
- ⁵ Kingston Police, **Queen's Homecoming & Faux-Homecoming 2024 Report**, (<https://www.kingstonpolice.ca/media/jfuhcbeh/report-24-41-queens-homecoming-2024.pdf>), accessed Jan 20, 2025
- ⁶ Waterloo Regional Police, “**Project Safe Semester Results in Over 500 Charges**”, (<https://www.wrps.on.ca/en/news/project-safe-semester-results-in-over-500-charges.aspx>) accessed 20 Jan 2025
- ⁷ City of Kingston, **Nuisance Party By-law (No. 2018-53), as amended**, (<https://www.cityofkingston.ca/bylaws-and-animal-services/commonly-requested-bylaws/bylaw-library/nuisance-parties-bylaw/>), S. 1, accessed 20 Jan 2025
- ⁸ Ibid, S. 6.1
- ⁹ City of Hamilton, **Nuisance Party By-Law (PED22156) (City Wide), 06 Sept 2022**, p. 9
- ¹⁰ Andrew Luton, CBC News, “**When students party too hard, should London landlords pay?**”, (<https://www.cbc.ca/news/canada/london/street-party-bylaw-foco-1.5079642>), accessed 20 Jan 2025
- ¹¹ Kingston Police, **Queen's Homecoming & Faux-Homecoming 2024 Report**, (<https://www.kingstonpolice.ca/media/jfuhcbeh/report-24-41-queens-homecoming-2024.pdf>), p. 6 accessed Jan 20, 2025
- ¹² City of Ottawa, **Council Member Inquiry OCC 21-14**, (<https://pub-ottawa.escribemeetings.com/filestream.ashx?DocumentId=155060>), p. 6, accessed 20 Jan 2025
- ¹³ Ottawa Police Services Board, **Financial Status Report – 3rd Quarter 2022**, (<https://www.documentcloud.org/documents/23438589-9-2022-ops-g3-financial-report/>) p.2, accessed 20 Jan 2025
- ¹⁴ Ottawa Police Services Board, **Response to Inquiry I-24-01 – OPS' Summary of the costs of demonstrations in 2023**, (<https://pub-ottawa.escribemeetings.com/filestream.ashx?DocumentId=188297>), p. 3 accessed 20 Jan 2025