

CITY OF CASTLEGAR

BYLAW 698

A bylaw to regulate and govern the operation and use of parks in the City of Castlegar.

WHEREAS Section 679 of the *Municipal Act* provides that Council may, by bylaw, make rules and regulations governing the management, maintenance, improvements, operation, control and use of any property in the municipality, owned or operated by the municipality, which is used for pleasure, recreation or community use;

AND WHEREAS Section 120 of the Motor Vehicle Act provides that Council may, by bylaw, provide for various matters referred to therein;

AND WHEREAS Council deems it expedient to regulate the use of parks within the City of Castlegar;

NOW THEREFORE, the Council of the City of Castlegar, in open meeting assembled, hereby enacts as follows:

Citation

1. This bylaw may be cited as "Parks Administration Bylaw No. 698, 1994".

Definitions

2. In this bylaw unless the context otherwise requires:
 - a) "Device" means a device designed to be moved by human power in, or on by which a person or thing is or may be transported or drawn.
 - b) "Emergency Vehicle" means a vehicle carrying rescue or first aid equipment or a vehicle operated by a Park Enforcement Officer or Fire Department personnel.
 - c) "Park" means all parks, playgrounds, heritage sites, beaches, swimming pools and other places of outdoor recreation owned or operated by the City of Castlegar.
 - d) "Park Enforcement Officer" includes a Peace Officer, a Bylaw Enforcement Officer, an Animal Control Officer, the Fire Chief and any person or class of persons designated as a Park Enforcement Officer by resolution of the Council.
 - e) "Sign" means a sign placed or erected by authority of the Council or the Superintendent of Public Works.
 - f) "Vehicle" has the meaning defined in the Motor Vehicle Act.

General Regulations

3. All parks shall be open for use by the general public between the hours of 7:00 a.m. and 10:00 p.m. each day of the week.

4. The City Clerk may authorize a temporary exception from the provisions of Section 3 and Section 7 by granting a permit in the form attached hereto as Schedule "A" and forming part of this bylaw.
5. The Superintendent of Public Works is authorized to make, revoke, and amend orders for the placement and erection of any signs referred to in this bylaw.

Prohibitions

6. No person shall, in any park:
 - a) Destroy or damage any tree, shrub, plant, turf or flower;
 - b) Destroy, damage or deface any building, fence, bench, sign, ornament or other structure;
 - c) Foul or pollute any fountain, lake, pool, pond, stream or other body of water;
 - d) Cross any area where signs have been erected forbidding such crossing;
 - e) Deposit any waste or offensive matter except in receptacles provided for such purposes;
 - f) Play any game in an area where signs have been erected prohibiting such use;
 - g) Permit any animal under their ownership or custody to run at large or to feed upon any vegetation;
 - h) Conduct himself in any disorderly manner;
 - i) Enter or remain in a park except during the periods when parks are open for use by the general public;
 - j) Obstruct the free use and enjoyment of the park by any other person;
 - k) Enter or bathe in any pool, stream or other water designed for bathing without being properly clothed in a swim suit;
 - l) Operate any boat, water-ski or other contrivance so as to endanger or interfere with persons use of the water for swimming or wading;
 - m) Interfere with or obstruct any employee of the City in the performance of his duty;
 - n) Operate any vehicle or device except an emergency vehicle at a speed greater than 10 km per hour;
 - o) Operate any vehicle or device in such a manner as to disturb the enjoyment of the park by other persons;
 - p) Park any vehicle except in a place designated for parking by a sign;

- q) Park a vehicle between the hours of 10 pm and 7 am or for a period exceeding that provided for on any sign setting out the length of time permitted for parking in that area;
 - r) Operate any vehicle or device except in an area specifically designated by a sign or signs;
 - s) Operate any vehicle or device in such a manner as to do damage to the park.
7. No person, shall except as authorized pursuant to Section 4, in any park:
- a) Sell or expose for sale, any refreshments or other articles or service;
 - b) Discharge, fire or explode any firearms, fireworks or other pyrotechnics;
 - c) Light a fire except in places specifically provided for that purpose by the City;
 - d) Molest, trap, injure or catch any bird, or other animal;
 - e) Perform or take part in any procession, ceremony, concert or other performance;
 - f) Erect any structure;
 - g) Advertise any product or service;
 - h) Consume, or offer for sale, alcohol.

Enforcement

- 8. A Park Enforcement Officer may remove from any park, any unattended animal or an animal found in a prohibited area of any park.
- 9. Where a Park Enforcement Officer finds any person to be in violation of this bylaw he may direct that person to leave the park. Any person who is directed by a Park Enforcement Officer to leave a park shall obey forthwith.
- 10. Where any Park Enforcement Officer finds any vehicle to be in violation of this bylaw, he may cause the said vehicle to be removed and stored in a safe and otherwise suitable location and the owner of the said vehicle shall pay all charges for such removal and storage.
- 11. The City may recover the fees, costs, and expenses payable pursuant to Section 10 by sale of the vehicle at public auction or by action in a Court of competent jurisdiction.
- 12. Any person who violates any provision of this bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and is liable on conviction to a fine of not more than \$2,000.00.

13. Bylaw No. 557 cited as "Public Park Closure Bylaw" is hereby repealed.

14. This bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME on the 16th day of August, 1994.

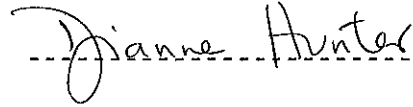
READ A SECOND TIME on the 16th day of August, 1994.

READ A THIRD TIME AND PASSED on the 16th day of August, 1994.

ADOPTED on the 6th day of September, 1994.



Mayor



Clerk

CITY OF CASTLEGAR

Parks Administration Bylaw No. 698, 1994

Schedule "A"

Exemption Permit (Section 4)

Name of Applicant or Organization:

Name of Contact Person:

Address:

Event:

Location and Name of Park:

Date and Time of Event:

Permission is hereby granted for the above exemption from the provisions of Section 3 and/or Section 7.

Date at Castlegar, B.C. this _____ day of _____, 19____.

City Clerk