

BYLAW NO. 1624

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO.87, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND OPERATION OF PARKS AND CAMPGROUNDS UNDER THE JURISDICTION OF THE MUNICIPALITY

WHEREAS, the Municipal Government Act, Chapter M-26, R.S.A. 2000, grants authority to Council to pass bylaws with respect to people, activities and things in, on or near a public place or place that is open to the public;

WHEREAS, the Municipal Government Act, Chapter M-26, R.S.A. 2000 grants authority to Council to pass bylaws with respect to the safety, health and welfare of people and the protection of people and property;

WHEREAS, Council of the Municipal District of Bonnyville No. 87 has established public parks and campgrounds; and

WHEREAS, Council of the Municipal District of Bonnyville No. 87 wishes to establish rules and regulations for the control and operation of its public parks and campgrounds.

NOW THEREFORE, Council of the Municipal District of Bonnyville No. 87, in the Province of Alberta, duly assembled, enacts as follows:

1.0 TITLE

1.1 That this bylaw may be referred to as the "Parks Bylaw".

2.0 DEFINITIONS AND INTERPRETATIONS

2.1 In this bylaw the following definitions apply:

- (1) **"Animal"** means a domestic animal and includes an animal that is wild by nature but has been domesticated.
- (2) **"Camping Accommodation Unit"** means:
 - (a) a tent;
 - (b) a camper trailer;
 - (c) a 5th wheel camper trailer;
 - (d) a tent trailer;
 - (e) a motor home;
 - (f) a van; or
 - (g) a truck camper.used by a person as shelter equipment while camping.
- (3) **"Council"** means the Council of the Municipal District of Bonnyville No. 87.
- (4) **"Chief Administrative Officer"** means the Chief Administrative Officer for the Municipal District of Bonnyville appointed by the Council.
- (5) **"Director"** means the Director of the Community Services Department of the Municipal District of Bonnyville.
- (6) **"Firearm"** means any device that propels a projectile by means of explosion, spring, air, gas, string, wire or elastic material or any combination of those things;
- (7) **"Highway"** means a highway as defined in the Municipal District of Bonnyville's Traffic Safety Bylaw and the Alberta Traffic Safety Act.
- (8) **"Individual Campsite"** means a campsite in a park or campground designated as an individual campsite under this bylaw.

- (9) **"Motor Vehicle"** means a motor vehicle as defined in the Highway Traffic Act.
- (10) **"Off Highway Vehicle"** means an off highway vehicle as defined in the Provincial Traffic Safety Act.
- (11) **"Park"** means land designated as park, campground or recreation area by the Council.
- (12) **"Park Caretaker"** means a person appointed as a Park Caretaker in accordance with this bylaw, or a person employed for the care and maintenance of parks and campgrounds by the Municipal District of Bonnyville.
- (13) **"Peace Officer"** means a Peace Officer of the Municipal District of Bonnyville or a member of the Royal Canadian Mounted Police.
- (14) **"Permit"** means the permit issued by the Park Caretaker providing payment confirmation and permission to occupy a designated area of the park.
- (15) **"Permit Holder"** means the individual named on the permit.
- (16) **"Weapon"** means including but not limited to, a rifle, shotgun, pistol, handgun, target pistol, air rifle, pellet gun, hunting bow, cross bow, sling shot, and paint ball gun.

3.0 **RULES**

3.1 **GENERAL**

- (1) A person who enters a park shall comply with:
 - (a) any lawful orders and instructions made or issued pursuant to this bylaw; and
 - (b) the instructions, prohibitions and directions prescribed by all lawfully designated and erected signs and notices.
- (2) A person registering to be the Permit Holder for a campsite must be a minimum of 18 years of age at the time of registration.
- (3) All persons intending to rent a campsite shall register with the Park Caretaker as a Permit Holder when required to do so by a sign or notice at or near the entrance to the park.
- (4) If a park's campsite occupant is involved in a violation of this bylaw, the person who is the registered Permit Holder of the campsite is guilty of an offence.
- (5) If a park's campsite has been vacated and left in an unsatisfactory condition, the person who is the prior registered Permit Holder is guilty of an offense and liable for cost associated with any clean up and repairs as a debt owing to the Municipal District of Bonnyville.
- (6) The campsite referred to in Paragraph 3.5 must be inspected by a Park Caretaker within 8 hours of vacancy for the last registered Permit Holder to be held responsible.
- (7) A person using a park shall keep the land and improvements in a condition satisfactory to a Park Caretaker.
- (8) A person vacating a park shall restore the land as nearly as possible to a clean and tidy condition.
- (9) A person shall ensure they do not have open liquor in any park public place, including roadways and day use areas.

- (10) No person shall interfere with the rights of others to the quiet and peaceful enjoyment of a park.
- (11) No person who has been removed or evicted from a park pursuant to this bylaw shall, within the following 72 hour period, enter or attempt to enter any Municipal District of Bonnyville operated park.
- (12) No person shall enter or remain in any park or portion of a park where travel or access restrictions have been imposed under this bylaw.
- (13) No person shall deface, injure or destroy any object in a park, whether created by natural means or otherwise.
- (14) No person shall display or post any signs or advertisements in the park other than signs and advertisements approved by the Park Caretaker, Director or Chief Administrative Officer.
- (15) No person shall remove, deface, damage or destroy any sign board, sign or notice posted or placed in any park under authority of this or any other bylaw or act.
- (16) No person shall discharge a firearm or use a weapon in a park.
- (17) No person shall carry on a business in a park unless he has received permission from the Director for that purpose.

3.2 WASTE DISPOSAL

- (1) No person shall deposit liquid or solid waste in a park except in a receptacle or area provided for that purpose by the Municipal District of Bonnyville.
- (2) No person shall bring commercial or residential waste matter into a park for disposal.
- (3) In areas in a park where waste disposal receptacles or areas are not provided, waste matters shall be carried out of the area for disposal.
- (4) No person shall bath or clean clothing, fish, cooking or eating utensils, vehicles or other equipment at or near a drinking fountain, stand pipe, well or pump in any park.
- (5) No person shall remove water from a park except for the personal use of himself and his party in the camping accommodation unit he is using at the time.

3.3 CAMPING PERMITS

- (1) Permits shall be issued on a first come, first serve basis except in that portion of a park in which a campsite reservation system is in effect.
- (2) No person shall camp overnight in a park except in an area designated for that purpose, unless he is otherwise authorized by the Park Caretaker, and unless he has a valid permit under this bylaw to do so.
- (3) No person shall alter a camping permit.
- (4) No person shall transfer a camping permit to another person.
- (5) The Permit Holder shall keep the permit available for inspection at any time or shall produce it for inspection on the request of the Park Caretaker or Peace Officer.

- (6) At the time of issue of a Group Camping Permit, the Park Caretaker may make the permit subject to any conditions considered appropriate.

3.4 CAMPSITE OCCUPATION

- (1) Where a campground within a park is developed in individual campsites, only the following vehicles and camping accommodation units are permitted to be kept in the campsite unless a Park Caretaker gives written permission to the contrary:
 - (a) one motor vehicle;
 - (b) one motor vehicle and one camping accommodation unit;
 - (c) one motor vehicle and one camping accommodation unit and one tent;
 - (d) two motor vehicles
 - (e) two motor vehicles and one tent;
 - (f) two motor vehicles and one tent and one camping accommodation unit;
 - (g) two motorized camping accommodation units and one tent.
- (2) No person in whose name and individual campsite is registered shall bring into or permit to remain on the campsite more vehicles or camping accommodation units than are permitted by Paragraph 3.4(1).
- (3) No person who is visiting a person camped in an individual campsite, shall park his vehicle at the campsite:
 - (a) after 11:00 P.M.;
 - (b) in a manner or at a location that impedes traffic; or
 - (c) in a location prohibited by sign.
- (4) Not more than six persons may occupy an individual campsite unless they are all members of a single family unit.
- (5) No person shall camp for more than 14 consecutive days in the same campsite in a park without the written permission of a Park Caretaker.
- (6) For the purpose of Paragraph 3.4(5), a period of at least 24 hours must elapse after a Permit Holder has checked out of a campsite after the expiration of a 14 day period before he may again camp in that campsite.
- (7) A campsite shall be considered to be unoccupied when without the written permission of a Park Caretaker, the Registrant:
 - (a) leaves the campsite unattended for a period exceeding 12 continuous hours during the first 24 hour period after the Permit is issued; or
 - (b) leaves the campsite unattended for a continuous period of more than 24 hours during the period of the permit.
- (8) A camping permit is automatically cancelled if the campsite to which it relates is unoccupied within the meaning of Paragraph 3.4(7).
- (9) A Park Caretaker may cancel a camping permit on written notice to the Permit Holder, if the Permit Holder contravenes this bylaw. The Permit Holder shall vacate the campsite within one hour from receiving such notice.
- (10) On the expiry of cancellation of his camping permit, the Permit Holder shall insure that the campsite is vacated and that all shelter equipment and other property belonging to him or persons in his group is removed.

3.5 BURNING

- (1) No person shall set, light or maintain a fire in a park except in a fireplace, pit or other facilities designed for that purpose.
- (2) A person may use any dead vegetation for fuel purposes in a campground.
- (3) Fireworks and the discharge of fireworks are prohibited within the confines of M.D operated parks.
- (4) Where the Director is of the opinion that a fire hazard exists in a park, they may, by erecting signs and notices for the purpose, prohibit the setting, lighting or maintaining of fires in all or part of the park.
- (5) No person shall leave a fire unattended or allow it to spread.
- (6) No person shall deposit or dispose of hot coals, ashes, embers or any other burning or smoldering material in a place other than a stove, fire pit or other place provided for that purpose by the Park Caretaker
- (7) A person shall extinguish all fires, hot coals, or smoldering materials before leaving them.

3.6 VEHICLES

- (1) No person shall operate a motor vehicle in a park except on a highway.
- (2) No person shall, within a park, operate or ride an off-highway vehicle except in accordance with this bylaw.
- (3) No person shall park or leave a motor vehicle, boat, trailer or camping accommodation unit or permit a motor vehicle, boat, trailer or camping accommodation unit to be parked or left in a park other than in parking areas designated for that purpose by the Director.

3.7 ANIMAL CONTROL

- (1) A Park Caretaker or Peace Officer may refuse to admit to a park or require to be removed from a park any animal if he considers it is not under control or may be a nuisance or damage to the life, safety, health, property or comfort of any person in the park.
- (2) No person having the custody or control of an animal shall bring the animal into a park or allow the animal into the park unless it is in a cage or is restrained by a leash, chain or other device that is not greater than two meters in length.
- (3) No person having custody or control of an animal shall bring into, or allow an animal to enter, or remain in, or on, any area in a park that is:
 - (a) a designated swimming area;
 - (b) a beach area adjacent to a designated swimming area;
 - (c) a public washroom, change house, concession, public shelter, or other public building or structure; or
 - (d) an area where signs are posted prohibiting animals.
- (4) A Park Caretaker or Peace Officer and any other person acting under their supervision may capture an animal running at large in a park.
- (5) When an animal is captured, a Peace Officer shall:
 - (a) make a reasonable attempt to contact the owner or person having custody of the animal;
 - (b) impound the animal.

- (6) Where the owner or person having custody claims a captured animal from the impound, they shall pay an impound fee in accordance with Schedule "A" attached to this bylaw.
- (7) When an animal has been impounded for 48 hours and no person claims it, the impound may dispose of the animal in a reasonably humane manner.
- (8) No person shall bring into or permit to enter a park, a horse or pony or beast of burden under his control except on an area of land that has been established for an equestrian use.

4.0 AUTHORITY OF PARK CARETAKERS

4.1 COLLECTION OF PERSONAL INFORMATION

- (1) For the purpose of administering this bylaw, a Park Caretaker will collect the following personal information for a person registering to be a Permit Holder of a site in a park:
 - (a) name;
 - (b) address;
 - (c) contact telephone number;
 - (d) license plate number(s) of vehicle(s) and camping accommodation units parking in the park;
 - (e) financial information required for payment;
 - (f) information relating to any animals accompanying the Permit Holder.
- (2) Ensure the collected personal information is retained in a secure manner which would prevent unauthorized access.
- (3) Request photograph identification from any person registering for a campsite permit should the Park Caretaker believe the person is not 18 years of age or older.

4.2 PARK OPERATIONS

- (1) A Park Caretaker may issue individual campsite permits and group camping permits under this bylaw.
- (2) A Park Caretaker may enter on and inspect any land, road structure or work within a park.
- (3) A Park Caretaker shall order the repair, alteration, improvement, or removal of, or addition to, any unauthorized structure or work in a park.
- (4) A Park Caretaker may order any person in a park to cease or refrain from any action, omission or conduct that in the opinion of the Park Caretaker is dangerous to life or property or detrimental to the use and enjoyment of the park by other persons.
- (5) A Park Caretaker may require any person in a park to inform a Park Caretaker of the name and address of a person, and any fact or intention relating to the use of the park by that person.
- (6) A Park Caretaker may remove or evict, or cause to be removed or evicted, from the park, any person:
 - (a) failing to comply with any provision of the bylaw; or
 - (b) creating a nuisance or disturbance or committing a trespass or any other undesirable act.
- (7) A Park Caretaker may operate an off highway vehicle in contravention of this bylaw for the purpose of performing their duties in the park.

- (8) A Park Caretaker may prohibit the entry of a vehicle into any part of any park.
- (9) If, in the opinion of the Park Caretaker, a nuisance exists, on any site which is subject to a permit, the Park Caretaker shall, in writing, order the person causing the nuisance to abate the nuisance or clean the site, or both.
- (10) Where a person or Permit Holder fails to comply with an order made pursuant to Paragraph 4.2(9), the Park Caretaker shall take whatever steps are necessary to abate the nuisance or clean the site, or both, and the cost of doing so is recoverable from the person or Permit Holder as a debt.
- (11) The Park Caretaker may cancel or suspend a permit issued in accordance with this bylaw if the Permit Holder or their guest(s) contravenes this bylaw, or any of the terms of conditions to which the permit is subject.

5.0 AUTHORITY OF MUNICIPAL OFFICIALS

5.1 THE CHIEF ADMINISTRATIVE OFFICER

- (1) Subject to the Traffic Safety Bylaw, control and prohibiting the movement of vehicular, pedestrian and other traffic by means of signs and notices being designated and erected.
- (2) Designate and erect other signs and notices governing and prohibiting activities that are provided for in this bylaw.
- (3) The existence of a sign or notice referred to in Paragraphs 5.1(1) and 5.1(2) is prima facie proof that it was properly designated and erected under this bylaw.

5.2 THE DIRECTOR

- (1) The Director may appoint persons necessary for the administration of this bylaw as Park Caretakers.
- (2) The Director may cancel or suspend a permit issued under this bylaw if the permittee contravenes this bylaw, or any of the terms of conditions to which the permit is subject.
- (3) The Director may authorize a business to be operated in a park.
- (4) The Director may determine if a person shall be prohibited access to any Municipal District of Bonnyville park and for what duration this prohibition shall last. The Director shall cause this prohibition to be in writing and served on the person in accordance with Section 6.3.1. Should a prohibited person access or be located within a Municipal District of Bonnyville park they have committed a trespass.

6.0 AUTHORITY OF A PEACE OFFICER

6.1 EVICTION

- (1) A Peace Officer may remove or evict, or cause to be removed or evicted, from the park, any person who:
 - (a) fails to comply with any provision of the bylaw; or
 - (b) creates a nuisance or disturbance or is committing a trespass or any other undesirable act.

6.2 AUTHORITY

- (1) A Peace Officer may operate an off highway vehicle in contravention of this bylaw for the purposes of performing

duties in the park.

- (2) A Peace Officer may seize any vehicle, off highway vehicle, boat trailer or any equipment, appliance or other article or object that is being used in a park in contravention of this bylaw, whether it is found in the possession of the person alleged to have committed the contravention or not.
- (3) That if a motor vehicle, off highway vehicle, aircraft, boat, trailer, equipment, appliance, article or object:
- (a) is abandoned;
 - (b) remains in an area after the authorization to be in that area has expired; or
 - (c) is located in the prohibited area;
 - (d) is located in an area where parking is prohibited by sign; or
 - (e) is involved in the contravention of this bylaw, regardless if it is found in the possession of the person alleged to have committed the contravention, or not;

a Peace Officer may remove, store and dispose of this item in accordance with this bylaw.

- (4) A Peace Officer shall, on seizing anything in accordance with Section 6.2(2) and 6.2(3), shall permit the owner of the item seized to claim it once the Peace Officer has determined the likelihood of recommission of the offense has passed.
- (5) Where a Peace Officer moves or stores an item or causes it to be moved or stored under this section, the cost of the doing so:
- (a) is the responsibility of the owner of the item;
 - (b) constitutes a lien on the item;
 - (c) may be recovered from the owner in an action for debt;
 - (d) must be paid before the item is released to the owner, operator or person in charge of it.
- (6) Should a seized item not be claimed within 60 days it becomes property of the Municipal District of Bonnyville and can be disposed of. EXEMPTION - This section would not apply to a motor vehicle, or trailer, which would be disposed of in accordance with the Province of Alberta Traffic Safety Act.
- (7) A Peace Officer may prohibit the entry of a vehicle into any part of any park.
- (8) A notice, in the form commonly called a Bylaw Tag or Parking Tag, may be issued by a Peace Officer to any person who contravenes any provision of this bylaw, and served in accordance with Paragraph 6.3(1). The tag shall require payment to the Municipal District for the specified amount for that particular breach of the bylaw.

6.3 DEEMED SERVED

- (1) A Bylaw Tag, Parking Tag or Written Notice shall be deemed to be sufficiently served:
- (a) if served personally on the accused; or
 - (b) if mailed to the address of the Registered Owner of the vehicle concerned or the person concerned; or
 - (c) if mailed to the address provided by the Permit Holder upon registration for the campsite; or
 - (d) if mailed to the address provided on government issued identification;
 - (e) if attached or left upon the vehicle in respect of which the offense is alleged to have been committed.

7.0 PENALTIES

7.1 GENERAL PENALTY

Except as otherwise provided herein every person who contravenes any provisions of this bylaw shall be liable on Summary Conviction to a fine of not less than Fifty (\$50.00) Dollars or more than Five Hundred (\$500.00) Dollars.

7.2 SPECIFIED PENALTY

Every person who contravenes any provisions of this bylaw, as enumerated in Schedule "A" herein, is guilty of an offense and shall be liable on Summary Conviction to the penalty specified therein for such offense.

7.3 PAYMENT RECEIVED

Where payment of a penalty for a Bylaw or Parking Tag is received within 15 days from the date of issue, the Voluntary Payment shall be reduced by Ten (\$10.00) Dollars.

7.4 LATE PAYMENT

If at any time after the expiration of the fifteenth (15th) day from the service of a Bylaw or Parking Tag, a person pays for a Bylaw or Parking Tag issued, the Municipal District of Bonnyville shall accept payment of the appropriate penalty as provided in Schedule "A", and the payment will be accepted in lieu of prosecution.

7.5 VOLUNTARY PAYMENT

When a voluntary penalty ticket is issued by a Peace Officer for an offense when it is not enumerated in Schedule "A" herein, the monetary penalty shall be the minimum fine that may be imposed under Section 7.1 of this bylaw.

8.0 GENERAL

- 8.1 It is the intention of Council that each separate provision of this bylaw shall be deemed independent of all other provisions, and if any provision of this bylaw be declared invalid, all other provisions shall remain valid and enforceable.
- 8.2 Schedule "A" attached hereto does not form part of this bylaw and may be amended by resolution of Council.
- 8.3 Bylaw No. 930 is repealed.
- 8.4 This bylaw shall come into full force and effect on the date of third and final reading by Council.

READ A FIRST TIME IN COUNCIL THIS 8TH DAY OF JUNE ,2016.

READ A SECOND TIME IN COUNCIL THIS 8TH DAY OF JUNE ,2016.

READ A THIRD AND FINAL TIME, WITH THE UNANIMOUS CONSENT OF ALL COUNCILLORS PRESENT, THIS 8TH DAY OF JUNE ,2016.


REEVE


CHIEF ADMINISTRATIVE OFFICER

BYLAW 1624

**SCHEDULE 'A'
Penalties and Fees**

OFFENCES	SECTION	SPECIFIED PENALTY
3.1 GENERAL		
Fail to comply with lawful order/instruction	3.1(1)(a)	\$200
Fail to comply with sign/notice	3.1(1)(b)	\$200
Fail to register with Park caretaker when indicated	3.1(3)	\$200
Permit Holder is responsible for offence	3.1(4)	As per offence section
Site left in unsatisfactory condition	3.1(5)	Cleanup costs billed by the MD to Permit Holder (see 3.1(8) for violation)
Fail to keep site in satisfactory condition	3.1(7)	\$200
When vacating – fail to clean and tidy site	3.1(8)	\$400
Open liquor in a public place	3.1(9)	\$200
Interfere with the quiet/enjoyment of a park	3.1(10)	\$400
Return to M.D park after eviction	3.1(11)	\$500
Enter/remain in restricted portion of park	3.1(12)	\$200
Deface/injure/destroy object in park	3.1(13)	\$200
Post unauthorized sign/notice	3.1(14)	\$100
Remove/deface/damage/destroy Sign or Notice	3.1(15)	\$400
Discharge firearm/use weapon in park	3.1(16)	\$500
Operate business in park when unauthorized	3.1(17)	\$200
3.2 WASTE DISPOSAL		
Deposit waste in park – not in designated receptacle/area	3.2(1)	\$200
Bring commercial or residential waste into park for disposal	3.2(2)	\$200
Fail to carry out waste when required	3.2(3)	\$200
Bath/clean clothing/clean fish/clean utensils/equipment at/near a standpipe/well/pump	3.2(4)	\$200
Remove water from park when not permitted	3.2(5)	\$200
3.3 CAMPING PERMITS		
Camp in unauthorized area	3.3(2)	\$400
Alter Camping Permit	3.3(3)	\$400
Transfer Camping Permit	3.3(4)	\$200
Fail to produce camping permit for inspection	3.3(5)	\$400
3.4 CAMPSITE OCCUPATION		
Bring in/allow more vehicles/camping accommodation units than authorized	3.4(2)	\$400
Visitor park vehicle at campsite after 11:00 PM	3.4(3)(a)	\$200
Visitor park vehicle in manner/location that impedes traffic	3.4(3)(b)	\$50

Visitor park vehicle contrary to sign	3.4(3)(c)	\$50
Exceed maximum persons permitted for camping in single campsite	3.4(4)	\$200
Exceed 14 Days in same campsite without authorization	3.4(5)	\$200
Fail to vacate campsite within 1 hour of Permit cancellation	3.4(9)	\$200
Fail to remove all property from campsite after Permit cancellation	3.4(10)	\$200
3.5 BURNING		
Light fire in non-designated location/area	3.5(1)	\$400
Discharge or possess fireworks within MD park	3.5(3)	\$500
Leave fire unattended/allow fire to spread	3.5(5)	\$400
Depose of hot coals/ashes/embers/other burning or smoldering material in unauthorized location	3.5(6)	\$400
Fail to properly extinguish fire/hot coals smoldering material before leaving	3.5(7)	\$400
3.6 VEHICLES		
Operate motor vehicle in park where unauthorized	3.6(1)	\$200
Operate/ride on an Off Highway vehicle within a MD Park	3.6(2)	\$200
Park or permit to park/leave motor vehicle or permit to leave motor vehicle /trailer/boat/camping accommodation unit in unauthorized area	3.6(3)	\$50
3.7 ANIMAL CONTROL		
Bring/have animal in Park when not restrained	3.7(2)	\$100
Bring/have animal in designated public swimming area	3.7(3)(a)	\$100
Bring/have animal on beach adjacent to public swimming area	3.7(3)(b)	\$100
Bring/have animal in a public washroom/change house/concession/public shelter/other public building	3.7(3)(c)	\$100
Bring/have animal in area where prohibited by sign	3.7(3)(d)	\$100
Animal impound fee	3.7(6)	\$100
Bring/have horse/pony/beast of burden in unauthorized area	3.7(8)	\$100
4.2 PARK OPERATIONS		
Fail to comply with order and work is done by MD	4.2(10)	Cost or work is billed to person or Permit Holder