



Consolidated March 28, 2022

CONSOLIDATION FOR CONVENIENCE PURPOSES

ONLY OF BYLAW 2498, 3672, 3708, 3852

CITY OF CAMPBELL RIVER

PROVINCE OF BRITISH COLUMBIA

BYLAW NO. 2498

A BYLAW OF THE CITY OF CAMPBELL RIVER TO ESTABLISH RULES AND REGULATIONS FOR THE CONTROL OF PARKS AND PARK PROPERTY.

WHEREAS the Council of the City of Campbell River deems it wise and expedient to establish rules and regulations for the control of parks;

AND WHEREAS certain parcels of land within the Municipality are reserved for park purposes for the use and enjoyment of the general public;

NOW THEREFORE the Council of the City of Campbell River, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "**Parks Control Bylaw No. 2498, 1996**".
2. In this Bylaw unless the context otherwise requires:

Amd Bylaw 3672 Sep/17 Def'n added

"City Manager" means Chief Administrative Officer.

"City" means the City of Campbell River.

"Park" means property owned and operated by the City for the pleasure and recreation of the public.

Amd Bylaw 3672 Sep/17, Amd Bylaw 3708 Oct/18

3. No person while in a Park shall:
 - (a) destroy, cut, mark, break, dig, pull-up, burn or in any other way damage, injure, remove or deface:
 - (i) any tree, flower bed, bush, shrub, plant, sod, grass or other vegetation, soil, sand, gravel or wood;
 - (ii) any building, park amenity, utility or other infrastructure placed, erected or maintained in the Park;
 - (b) permit any dogs or other animals, owned or harboured by the person, to enter any stream, pool or lake;
 - (c) deposit bottles, broken glass, paper, cardboard or empty cartons or other rubbish, trash or garbage other than into a refuse receptacle provided for such purposes;
 - (d) deposit any household waste or trade waste whatsoever;
 - (e) drive, park or stand any vehicle other than on roads, lanes or parking lots which have been designated and indicated for such use;
 - (f) ride, lead or herd horses or other animals of any kind, other than on trails, roads or lanes which have been designated and indicated for such use;
 - (g) launch a boat, sailboat, jet ski or other motorized water vehicle other than from sites which have been designated and indicated for such use;

- (h) hit, propel, throw or direct an object in such a manner as to constitute a dangerous use of a Park including, but not so as to limit the generality of the foregoing, the hitting of golfballs, shooting of arrows, or launching of model rockets and airplanes;
- (i) participate in any sport or other recreational activity other than in accordance with the accepted rules for such activities and not in a manner intended to injure persons or cause damage to property;
- (j) place, dump or leave any foreign material of any nature whatsoever, including, but not limited to, sand, gravel or earth fill, vegetation cuttings or debris in or upon or about any Park;
- (k) light, ignite or start or allow or cause to be lighted, ignited or started a fire of any kind whatsoever;
- (l) use a barbecue or cooking apparatus of any kind in any Park in contravention of a sign or posted notice;
- (m) cross, travel on, park a vehicle or otherwise use any Park or any portion thereof where signs have been posted prohibiting such crossing, travelling, parking or use;
- (n) except as authorized pursuant to this Bylaw, encumber or obstruct any portion of a Park;
- (o) obstruct or interfere with the lawful free use and enjoyment of any Park by any person, including any person participating in an event, work or undertaking authorized by permit pursuant to this Bylaw;
- (p) obstruct or cause to be obstructed, any official, employee, agent, Bylaw Enforcement Officer or contractor of the City in the exercise of any of his or her lawful duties;
- (q) do anything that does, or tends to, endanger or disturb any person;
- (r) behave in a disorderly or offensive manner;
- (s) molest or injure another person;
- (t) consume liquor or cannabis, as defined under the Liquor Control and Licensing Act or the Cannabis Control and Licensing Act, except in compliance with a license issued under the Act.
- (u) fail to fully extinguish any lighted match, cigar, cigarette or other burning substance or thing before discarding it;
- (v) discharge any human or animal excrement, waste water, or waste of any kind except in a location specifically provided for the purpose;
- (w) place or leave any broken glass, needle, razor or similar sharp object anywhere, including on the ground or in a building or structure, except in a location specifically provided for that purpose; or

- (x) contravene any provision of any applicable City Bylaw, including but not limited to Public Nuisance Bylaw No 3543, 2014, as amended or replaced.

Amd Bylaw 3672 Sep/17

- 4. No person while in a Park shall, without a permit:
 - (a) take part in any procession, march, drill, performance, ceremony, concert or festival;
 - (b) carry on any commercial activity including, but not so as to limit the generality of the foregoing, offer for sale for profit any article of food, drink including alcohol, or merchandise.
 - (c) operate any amplifying system or loud speaker.

Amd Bylaw 3672 Sep/17

- 5. The City Manager, or designate, is responsible for administering this Bylaw. The City Manager, or designate may:
 - (a) establish policies for administration and enforcement of this Bylaw;
 - (b) cause or direct a sign or notice to be placed or posted in a Park or any portion or facility thereof to give effect to the provisions of this Bylaw, or any other bylaw of the City as it may apply to that place or facility;
 - (c) require that a person or organization obtain a permit, if the City Manager, or designate considers that any event, game, sport or other activity proposed or taking place in a Park could have a material impact on the ordinary use of a Park, traffic, the security of property, or the safety or convenience of the public or neighbouring residents or businesses;
 - (d) issue or cause to be issued a permit for the purposes of paragraph (c), impose terms, restrictions and requirements as conditions of issuance, and modify, extend, suspend, revoke or cancel a permit as the City Manager, or designate considers necessary for those purposes or otherwise to ensure compliance with this and other bylaws of the City; and
 - (e) order temporary closure of any Park where the City Manager considers it necessary or advisable to do so.
 - (f) establish park hours;
 - (g) grant permission and issue permits under this Bylaw;
 - (h) establish terms and conditions for permissions and permits granted under this Bylaw;
 - (i) authorize the erection of notices and signs for regulation, control or prohibition of the following in a park or portion thereof:
 - (i) traffic and parking;
 - (ii) the use of barbecues and cooking apparatus;
 - (iii) smoking; and
 - (iv) the use of trails, artificial turf, sports fields, facilities, buildings, structures or devices.

6. Every applicant requesting a permit shall provide the following information to the City Manager or designate:
- (a) the applicant's name, address, telephone number, email address and principal contact;
 - (b) the general use for which the permit is requested;
 - (c) the location of the Park, and the dates and times for which a permit are requested;
 - (d) a specific description of any commercial activities, if any, proposed including the names of any third party individuals or businesses that will be operating the commercial activity.

7. A permit may be issued if:
- (a) the applicant is a recognized community non-profit organization;
 - (b) the applicant has provided satisfactory proof to the City Manager or designate, that insurance is in place that complies with the City of Campbell River Council Risk Management Policy;
 - (c) the intended or proposed use does not contravene any other provision of this Bylaw or other applicable Bylaw;
 - (d) where commercial activity is proposed, the individual or company operating the activity holds a valid business license to operate within the City, and satisfactory proof of a valid license being in place is provided to the City Manager or designate;
 - (e) the intended or proposed use has no detrimental effect on the Park requested; and
 - (f) the intended or proposed use, including any commercial activities, does not constitute a risk of injury to the public.
8. Notwithstanding anything in this Bylaw any Park, or any portion thereof, may at any time be temporarily closed to public use.
9. Access to the Mclvor Lake Park, which encompasses the City's watershed, shall be controlled by way of a gate, or gates on Mclvor lake Road (the "Gates"). The Gates shall be closed from 10:00 p.m. to 4:00 a.m. for the period from May 1 to the end of the Labour Day Weekend in any given year.

10. The City may remove or cause to be removed from a park any obstruction or thing placed there contrary to the provisions of this Bylaw, and may recover the costs and expenses of the removal from the owner of the obstruction or thing.
11. No person shall contravene any term or condition of permission or a permit granted under this Bylaw.

12. Every person who:
- (a) violates or who causes or allows any of the provisions of this bylaw to be violated;

- (b) fails to comply with any of the provisions of this bylaw;
- (c) neglects or refrains from doing anything required under this bylaw; or
- (d) who suffers or permits any act or thing to be done in contravention of any of the provisions of this bylaw;

is deemed to have committed an infraction of, or an offence against, this bylaw and is liable on summary conviction to a fine not less than \$5,000 and a maximum of \$50,000, or to imprisonment for not more than six months, or to both.

For continuing offences, each day that such violation is caused, or allowed to continue, constitutes a separate offence.

13. Parks Control Bylaw No. 1934, 1991 is hereby repealed.

Read a first time on the 23rd day of July, 1996.

Read a second time on the 23rd day of July, 1996.

Read a third time on the 23rd day of July, 1996.

Third Reading rescinded on the 13th day of August, 1996. (Res.#96-991)

Re-read a third time on the 24th day of September, 1996.

Adopted on the 15th day of October, 1996.

Original bylaw signed by:

J.M. LORNIE
MAYOR

W.T. HALSTEAD
CLERK

Amd Bylaw 3672 Sep/17 Permit For Use Application Form removed