

TOWN OF QUALICUM BEACH
BYLAW No. 551
PARKS REGULATION BYLAW

A Bylaw pursuant to the provisions of Section 679 of the Municipal Act, R.S.B.C., Chapter 290, to provide for the regulation and use of parks within the Town of Qualicum Beach.

The Municipal Council of the Town of Qualicum Beach, in open meeting assembled, enacts as follows:

PART 1 - TITLE

- 1.1 This bylaw may be cited for all purposes at the "Town of Qualicum Beach Parks Regulation Bylaw, No. 551, 1994."

PART 2 - DEFINITIONS

- 2.1 **"Bylaw Enforcement Officer"** shall mean the person or persons appointed from time to time, by Council to enforce and administer this bylaw and shall include any Peace Officer.
- 2.2 **"Council"** shall mean the Municipal Council of the Town.
- 2.3 **"Park"** means all those lands in the Town reserved or dedicated as park, by bylaw, or dedicated as park by the deposit of a subdivision or reference plan, or conveyed in trust to the Town for the purposes of park, or otherwise held by the Town for park purposes, and includes specifically, playgrounds, squares, greens, beaches, golf courses and other lands, where these lands are held for pleasure, recreation or community uses by the Town.
- 2.4 **"Town"** shall mean the Town of Qualicum Beach.
- 2.5 **"Vehicle"** shall mean a conveyance for the carriage of persons or things, whether drawn by animals or propelled by any mechanical, muscular or other mode of power, including bicycles, tricycles, trailers, skateboards, rollerblades, rollerskates and any other velocipede.

PART 3 - REGULATIONS

- 3.1 No person shall use any land or carry on any activity within a park where signs are posted prohibiting such use.
- 3.2 (a) no person shall deposit or dispose of any garbage, offensive matter or substances of any kind, in or on any park, or in any lake, stream, pool, fountain, river, or pond within any park, except in a receptacle for such purpose.

(b) no person shall deposit in a garbage receptacle in a park, any garbage, offensive matter or substances of any kind produced outside the park.
- 3.3 No person shall sell or display any goods or merchandise, or carry on any commercial activity whatsoever, within a park, unless the holder of a valid business licence under the Town of Qualicum Beach Business Licence Bylaw No. 506, 1991.
- 3.4 No person shall possess or permit the discharge of any firearms including air guns, air rifles, air pistols, spring guns, or any weapon of any description in a park.
- 3.5 No person shall make or cause to be made, an open fire in a park, except where fire pits are provided and such open fires are authorized pursuant to Town of Qualicum Beach Outdoor Burning Bylaw #539, 1993.
- 3.6 No person, possessor or harbourer of an animal shall permit such animal to run at large, in a park pursuant to Town of Qualicum Beach Animal and Dog Control, Licence and Pound Bylaw No. 407.02, 1994."
- 3.7 No person shall enter or be in a park in the Town between the hours of 11:00 p.m. and 6:00 a.m. the following day.
- 3.8 No owner or occupier of a motor vehicle shall permit such vehicle to enter or remain in a park between the hours of 11:00 p.m. and 6:00 a.m. the following day.
- 3.9 No person shall erect, construct or build any permanent structure including tent, building, shelter, pavilion or other construction of a permanent nature, whatsoever in any park.

- 3.10 No person shall obstruct or interfere with any person who is lawfully using any park property.
- 3.11 No person shall post, paint or distribute any advertisements of any kind in a park pursuant to the Town of Qualicum Beach Business Licence Bylaw No. 509, 1991., and the Town of Qualicum Beach Sign Regulation Bylaw No. 553, 1994.
- 3.12 No person shall play on a tennis court or bowling green in a park unless wearing suitable rubber-soled shoes without heels.
- 3.13 (a) No person shall play any organized tournament, or series of organized games, in a park without registration with District '69 Recreation Department, the agency responsible for organized field allocation for the Town.
- (b) Organized field use meetings are advertised and scheduled in the early calendar year and registration is made through District '69 Recreation Department.
- 3.14 No person shall use any boat, motor boat, sea sled or other means of conveyance on water, within any designated swimming area, said area designated and signed on the Public Beach at the Change House/Washroom.
- 3.15 No person shall obstruct, interfere with, impede, hinder or prevent a Bylaw Enforcement Officer, lifeguard, Officer, official, employee of the Town or other person engaged by the Town to supervise, control, instruct or oversee bathing, swimming or aquatic sports or any other games in any part of a park under his or her supervision or control.
- 3.16 Except for chairs for the handicapped and children's carriages and strollers, no person shall ride or drive any horse or other animal or drive or propel any vehicle or other mode of conveyance on any park unless otherwise designated and posted for such use.
- 3.17 No person shall climb, walk or sit on or deface any wall, fence or other structure in or on any park, or cause there to be any unauthorized writing or graffiti placed on any wall, fence or other structure in or on any park.

- 3.18 No person shall grease, wash, clean or repair any motor vehicle in a park, except where an emergency exists.
- 3.19 No person shall be permitted in any park to possess liquor at any time, except where said liquor is possessed pursuant to and in compliance with a license issued under the Liquor Control and Licensing Act, and shall comply with all Federal and Provincial Laws while in a park.
- 3.20 No person shall cut, uproot or damage in any way, or cause to be cut, uprooted or damaged in any way, any tree, plant or other natural foliage within any park.

PART 4 - USES

- 4.1 The Town may make rules and regulations regarding the management, maintenance, improvement, operation, conservation, control and use, pursuant to the provisions of Section 679(1)(b) of the Municipal Act.
- 4.2 Notwithstanding anything contained in this bylaw or any other bylaw of the Town to the contrary, the officers, officials and employees and contractors of the Town, while exercising their duties, shall be exempt from the provisions hereof.

PART 5 - PENALTIES

- 5.1 Every person who violates any provisions of this bylaw or who suffers or permits any act or thing to be done in contravention to or in violation of any of the provisions of this bylaw or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act which constitutes an offence against this bylaw is guilty of an offence against this bylaw and liable to the penalties hereby imposed. Each day that the violation continues to exist shall constitute a separate offence.

5.2 Every person who commits an offence against this Bylaw or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw is guilty of an offence against this Bylaw and liable, upon summary conviction, to a fine not exceeding Two Thousand Dollars (\$2000.00)

PART 6 - MASCULINE/SINGULAR

6.1 Wherever the masculine is used throughout this bylaw, it shall also mean the feminine; and wherever the singular is used throughout this bylaw, it shall also mean the plural.

PART 7 - SEVERABILITY

7.1 If any section or lesser portion of this bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the Bylaw.

PART 8 - BYLAW NO. 551

8.1 This bylaw may be cited as the "Town of Qualicum Beach Parks Regulation Bylaw No. 551, 1994."

READ A FIRST TIME this 7th. day of November 1994.

READ A SECOND TIME this 3rd. day of April 1995.

READ A THIRD TIME this 24th day of April 1995.

RECONSIDERED AND ADOPTED the 1st day of May 1995.


Mayor


Clerk

Certified a true copy of "Town of Qualicum Beach Parks Regulation Bylaw #551 199 .

Clerk

Date