

SQUAMISH-LILLOOET REGIONAL DISTRICT

BYLAW NO. 1425-2015

A BYLAW TO REGULATE THE USE OF PARKS AND OPEN SPACES INCLUDED IN THE
SQUAMISH-LILLOOET REGIONAL DISTRICT PEMBERTON AND DISTRICT RECREATION
SERVICE

WHEREAS the Squamish-Lillooet Regional District (SLRD) wishes to adopt a bylaw to regulate the use of parks and open spaces in the Pemberton and District Recreation Service.

WHEREAS under Section 176 of the Local Government Act, a regional district has the power to make agreements respecting the management of property or an interest in property held by the regional district and the power to manage land and improvements and any interest in that property.

AND WHEREAS pursuant to section 796.2 of the Local Government Act, a regional district may regulate in relation to a service;

NOW THEREFORE the SLRD Board of Directors in open meeting assembled enacts as follows:

1. Citation

This Bylaw may be cited for all purposes as “Pemberton and District Recreation Service Parks and Open Spaces Regulatory Bylaw No.1425-2015”.

2. Definitions

In this bylaw, unless the context otherwise requires:

“Maintenance” means maintenance, repair and development work or activities in a Park and Open Space as undertaken by the Regional District on behalf of the Pemberton and District Recreation Service or by a community or user group if specifically authorized by the Regional District to undertake specific work;

“Organized Activity” means any activity that is pre-planned, involves a group larger than a single family unit, and has the potential to limit, restrict, disrupt or impact general public access to a Park and Open Space (or a portion thereof);

“Organized Sport” means any game or sport, including instruction and training thereof, which involves three or more persons who play or practice together regularly as a team in a league or association;

“Park and Open Space” means any park and open space operated by the Pemberton and District Recreation Service, and without limiting the generality of the foregoing, currently includes the Meadows Field, Gates Lake Park, and the Pemberton and District Community Centre Spray Park and adjacent outdoor area;

“Regional District” means the Squamish-Lillooet Regional District;

“Use Agreement” means the written permission under this bylaw, authorizing the Organized Activity or the Organized Sport in a Park and Open Space.

3. Application of Bylaw

This bylaw applies to the Parks and Open spaces as managed by the Pemberton and District Recreation Service.

4. Intent of Bylaw

The intent of this bylaw is to:

- (a) provide general rules of conduct in a Park and Open Space; and
- (b) strike a reasonable balance between the use of a Park and Open Space that is intended to provide the benefits of recreation and enjoyment for the general community and the use by community groups that may limit, restrict, disrupt or impact general community use.

5. Prohibitions – General

A person shall not:

- (a) Act in a disorderly, dangerous or offensive manner;
- (b) Engage in any commercial activity without express authorization from the Regional District;
- (c) Sell, provide, possess, offer or consume liquor or alcoholic beverages without valid and legally required permits;
- (d) Obstruct the free use and enjoyment of a Park and Open Space by any other person or interfere with or become a nuisance to the general public, except as authorized by this Bylaw;
- (e) Hinder, deter or interrupt any person in the exercise of any of his or her duties in charge of:
 - i. an Organized Sport or Organized Activity as authorized by a Use Agreement; or
 - ii. Maintenance as authorized by the Regional District.

6. Prohibitions – Vegetation/Riparian

A person shall not:

- (a) Cut, break, remove, or in any way destroy or damage any tree, shrub, plant, turf or flower;
- (b) Access or trample the riparian edge of any stream unless such area is specifically designated as an access point;
- (c) Cross, travel on, use or walk upon any grassed plot or land where signs have been posted forbidding such use.

7. Prohibitions – Pollution/Waste Management

A person shall not:

- (a) Foul or pollute any area of water or land, including a ditch, stream or storm drain;
- (b) Deposit or dump any garbage, waste or other material whether liquid or solid, except in waste receptacles provided there for such purpose;
- (c) Dispose of waste generated outside of a Park and Open Space by depositing the waste in a waste receptacle or anywhere else in a Park and Open Space.

8. Prohibitions – Animals

A person shall not:

- (a) Bring or ride any horses or livestock in a Park and Open Space;
- (b) Tease, molest or injure any animal, bird or fish or throw any substance at or near such creatures in such way as to cause them alarm or possible injury, unless permitted under provincial or federal fishing or wildlife regulations;
- (c) Bring a dog into a Park and Open Space unless the dog is at all times on a leash and under that person's control;
- (d) Allow a dog to disturb the enjoyment of any person, to cause injury to any person or animal, or to cause damage to any property;
- (e) Allow a dog to deposit excrement unless that person immediately removes the excrement and disposes of it in a sanitary manner;
- (f) Leave a dog unattended.

9. Prohibitions – Vehicles

A person shall not:

- (a) Operate a motor vehicle except on a roadway;
- (b) Park or stop a motor vehicle except in designated vehicle parking areas;
- (c) Park a motor vehicle in an emergency vehicle access lane at any time;
- (d) Park a motor vehicle overnight.

10. Prohibitions - Fires

A person shall not:

- (a) Throw or place upon the ground any lighted match, cigar, cigarette or any other burning material or substance or dispose of it without first properly distinguishing it;
- (b) Start or maintain a fire, except when permitted by municipal or provincial fire regulations, and only in barbeque pits or fireplaces provided at the Park and Open Space for that purpose and in such a case will ensure that the fire is under control at all times, not left unattended and properly extinguished.

11. Prohibitions – Activities

A person shall not undertake any of the following activities:

- (a) Overnight camping;
- (b) Playing golf or striking a golf ball;
- (c) Shooting an arrow or practicing archery;
- (d) Flying any glider aircraft;
- (e) Launching any power rocket;
- (f) Possess or discharge fireworks, firecrackers or explosive materials of any kind, except for an event authorized by a Use Agreement.

12. Prohibitions – Hang Gliding and Paragliding

A person shall not undertake landing a hang glider or paraglider except as follows:

- (a) at Meadows Field; and

- (b) there is a Use Agreement in place with the Regional District governing such landings; and
- (c) the person understands and fulfills all the prerequisites for use and other requirements for landing in the Use Agreement.

13. Use Agreement

- 13.1 A person or group shall not use a Park and Open Space for a purpose other than general public use unless that person or group has obtained written permission to do so from the Regional District and on such terms and conditions as the Regional District considers appropriate.
- 13.2 Permission shall be in a form of a Use Agreement as set from time to time by the Regional District.
- 13.3 Through the Use Agreement, the Regional District may:
 - (a) Establish the term of the use;
 - (b) Place such conditions, restrictions and limits on the Organized Sport or the Organized Activity as it deems appropriate;
 - (c) Specify whether ancillary activity(ies), if any, related to the Organized Sport or the Organized Activity are authorized, and place such conditions, restrictions and limits on such ancillary activity(ies) as it deems appropriate;
 - (d) Require the placing and maintenance of liability insurance in an amount and on terms it deems satisfactory;
 - (e) Collect the prescribed fees, if any, for such use as authorized by the Pemberton and District Recreation Service Fees and Charges Bylaw No. 1424-2015 as amended from time to time;
 - (f) Collect a damage deposit, as authorized by the Pemberton and District Recreation Service Fees and Charges Bylaw No. 1424-2015 as amended from time to time, if determined by the Recreation Services Manager to be required;
 - (g) Set out the conditions under which it may suspend or revoke the Use Agreement.
- 13.4 The Regional District is not obligated to issue a Use Agreement and, without in any way limiting the generality of the forgoing, may through the discretion of the Recreation Services Manager decline to issue a Use Agreement to any person or group that has contravened the provisions of a Use Agreement previously entered into between the parties or the provisions of this bylaw or any other enactment.

14. Maintenance

This Bylaw shall not be interpreted as impairing or preventing the Regional District or its employees, contractors and agents from carrying out Maintenance.

15. Offences and Penalties

- 15.1 No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 15.2 Authorized personnel may, in writing or verbally, order a person who does anything in contravention of this bylaw to leave a park, or a specified portion of it, within a period of time specified in the order, and every person so ordered shall comply with the order and leave the park, or the specified portion of it, in accordance with such order.
- 15.3 Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, is guilty of an offence and
- (a) pursuant to the *Local Government Act* or the *Offence Act* or both shall be liable on summary conviction to:
 - (i) a fine not exceeding two thousand dollars (\$2,000.00), imprisonment of not more than 6 months, or both,
 - (ii) the costs of prosecution, and
 - (iii) any other penalty or remedy imposed or permissible pursuant to an enactment;
 - (b) the penalties and remedies imposed under subsection (a) shall be in addition to and not in substitution for any other penalty or remedy imposed by or permissible under this bylaw or any other enactment; and
 - (c) each day that a violation is caused or allowed to continue constitutes a separate offence under this bylaw.

16. Effective Date

This bylaw shall come into force and effect as of date of adoption.

17. Severability


If any provision of this bylaw is held to be beyond the power of the Regional District or otherwise invalid by any court of competent jurisdiction, then the provision may be severed from the bylaw without affecting the validity of the remainder of the bylaw.

READ A FIRST TIME this 24th day of June, 2015.


READ A SECOND TIME this 24th day of June, 2015.

READ A THIRD TIME this 24th day of June, 2015.

ADOPTED this 24th day of June, 2015.



Jack Crompton
Chair



Kristen Clark
Secretary