

# Office Consolidation

## CITY OF WHITEHORSE

### BYLAW 2015-20

A bylaw to govern the use of parks and public open space within the City of Whitehorse

WHEREAS section 265 of the *Municipal Act* RSY 2002 Chapter 154 (the “Act”) provides that council may pass bylaws:

- (1) for the safety, health, and welfare of people and the protection of persons and property;
- (2) for the activities in, on or near a public place or a place that is open to the public;
- (3) subject to the *Motor Vehicles Act (the “MVA”)*, for the use of motor vehicles or other vehicles, on or off highways, and the regulation of traffic; and
- (4) for vegetation and activities in relation to it;

AND WHEREAS section 266 of the *Act* provides that, without restricting section 265, a council may in a bylaw passed under this division to regulate, control, or prohibit;

AND WHEREAS section 126(1) of the *MVA* provides that a municipality may make bylaws controlling and regulating the use of highways, sidewalks, and other public places;

AND WHEREAS section 126(2) of the *MVA* provides that, without limiting the generality of subsection (1), a municipality may make bylaws under and for the purposes of subsection (1) prohibiting a class or classes of motor vehicles from using wholly or partially for a certain period, or periods, a highway in the municipality and restricting the use of a highway in whole or in part to a particular class of vehicle;

AND WHEREAS section 126(4) of the *MVA* provides that a municipality may make bylaws prohibiting, controlling and regulating the use of vehicles, including vehicles operated exclusively off-highway, on land that is not a highway; and

AND WHEREAS section 249(2) of the *MVA* provides that a municipality may by bylaw confer on an officer or employee of the municipality the powers of a peace officer under any of sections 36, 50, 86, 106, 114, 130, 133 to 136 inclusive, 181, 203, 217, 230, and 232 of the *MVA*;

NOW THEREFORE, the council of the municipality of the City of Whitehorse, in open meeting assembled; hereby ENACTS AS FOLLOWS:

#### **SHORT TITLE**

1. This bylaw may be cited as the "**Parks and Public Open Space Bylaw**".

#### **DEFINITIONS**

2. In this bylaw:

“ALL-TERRAIN VEHICLE” means an all-terrain vehicle as defined in the City of Whitehorse All-Terrain Vehicle Bylaw as amended from time to time;

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“AUTOMOBILE” means a vehicle typically with four wheels, powered by an internal combustion engine or electric motor and able to carry a small number of people and includes a truck, car, van, sports utility vehicle, and motorhome, and excludes snowmobiles and all-terrain vehicles;

“BOULEVARD” means the land fronting or along the side of residential property between the property line and the curb or maintained land that lies between two or more lanes on the same roadway;

"CITY MANAGER" means the Chief Administrative Officer of the City or a duly authorized representative;

"CITY" means the municipality of the City of Whitehorse;

“CITY PARK” means a City owned park including any public outdoor lot owned by the City and set aside specifically for recreation, including City playgrounds, cemeteries, paved trails, tot-lots, walkways, and similar uses;

“CITY PLAYGROUND” means an area intended to meet the outdoor recreation needs of residents and provides amenities including an outdoor rink and play apparatus;

“CITY TRAIL” means a trail as defined in the City of Whitehorse Trail Plan as amended from time to time;

"COUNCIL" means the duly elected council of the City of Whitehorse;

“DAMAGE” means by one’s actions, whether intentional or unintentional, a building, place, thing, land, or vegetation has been defaced, injured, harmed, or deteriorated;

“DESIGNATED DEVELOPMENT AREAS” mean the areas identified on the map attached hereto as Schedule “B” and forming part of this bylaw; ([page 16](#))

“DESIGNATED OFFICER” means the R.C.M.P., the Manager, an employee of the City of Whitehorse Bylaw Services Department or an authorized representative as designated by the City Manager or council;

“E-BIKE” means an electric motor-assisted bicycle as defined in the City of Whitehorse E-Bike Regulation Bylaw as amended from time to time. (*Bylaw 2021-23 passed April 26, 2021*)

“ELECTRIC WATERCRAFT MOTOR” means a device that is solely powered by battery where the primary function is to propel the watercraft through water with a rating of 50 pounds thrust or less;

“E-MOBILITY DEVICE” means a self-balancing transport device powered by an electric motor which uses the shifting weight of the rider to balance the device, and includes a hover-board, electric unicycle, and electric skateboard. (*Bylaw 2021-23 passed April 26, 2021*)

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“FEE” means a fee as set out in the City’s Fees and Charges Bylaw as amended from time to time;

“FIRST NATIONS GOVERNMENT” means the band council of the Kwanlin Dün First Nation and Ta'an Kwäch'än;

“JUDGE” means one who is appointed to preside and to administer the law in a court of justice, and includes a Justice of the Peace;

"MANAGER" means the Manager of the Parks and Community Development or designate;

“MOBILITY DEVICE” means any device designed to assist the mobility of a person with a physical disability. (*Bylaw 2021-23 passed April 26, 2021*)

“MOTORIZED VEHICLE” means any conveyance that is powered by or capable of being powered by means other than human power, including solar, electric, or combustion engines, and including automobiles, snowmobiles, and all-terrain vehicles, but excluding e-bikes and e-mobility devices; (*Bylaw 2021-23 passed April 26, 2021*)

“OPEN WATER” means a body of water including, but not limited to, a lake, pond, river or stream;

"OPERATE" means, whether or not a vehicle or watercraft motor is running, a person that is in the act of carrying, driving, manoeuvring, parking, pushing, stopping, towing, or transporting a vehicle or watercraft motor;

“OPERATOR” means the person who operates a vehicle;

"OWNER" means the registered owner, operator, or lessee of a vehicle or thing and includes any person, partnership, association or corporation that owns, possesses or has control of a vehicle or thing;

"PARK" means any municipal outdoor area owned by the City and used to accommodate the recreation of residents of the City or enhance the beauty or preserve the natural surroundings of the community including:

- (1) City parks and City playgrounds;
- (2) City trails;
- (3) campgrounds leased, owned or operated by the City

“PARK EQUIPMENT” means anything constructed or placed in a public open space by the City or its agents, whether temporary or permanent, excluding vegetation and including any sign, building, wall, bench, table, railing, stairs, wading pool, fire pit, barbeque stands, swing set, compost bin, waste receptacle, planter, underground sprinkler, irrigation system, fence, bridge, guardrail, memorial marker, vase or other similar thing;

“PERMIT” means a permit issued by the Manager, including a special event permit;

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“PERSON” means an individual or any business entity including a firm, partnership, association, corporation, or society;

“PUBLIC OPEN SPACE” means any outdoor area within the City used to accommodate the recreation of residents of the City or enhance the beauty or preserve the natural surroundings of the community including:

- (1) a park;
- (2) undeveloped park areas and future development areas as listed in the Official Community Plan;
- (3) public open space lands under the ownership or control of the Crown, the Commissioner of the Yukon or the City of Whitehorse; and
- (4) greenbelts and buffer areas under the ownership or control of the Crown, the Commissioner of the Yukon, or the City of Whitehorse.

“PUBLIC WASTE” means waste generated by a person or a person’s pet while out in public and shall include, but not be limited to, candy bar wrappers, pop cans, bottles, empty chip bags, coffee cups, fast food containers, items for day-use outings and picnics, and single-use bags with dog faeces;

“RECREATION” means the leisure time pursuits of a person whether they be passive, active, creative or social in nature and includes such activities as arts, social or sports events;

“ROADWAY” means that portion of any road, street, lane or alley designed, improved or ordinarily used for motor vehicle travel by the general public and includes roadway rights-of-way and parking areas;

“ROADWAY RIGHT-OF-WAY” means the first five metres of surveyed right-of-way adjacent to a roadway and excludes a boulevard;

“SEXUAL ACTIVITY” means physical contact of a sexual nature, in open public, with one or more persons and excludes hugging or kissing;

“SNOWMOBILE” means a snowmobile as defined in the City of Whitehorse Snowmobile Bylaw as amended from time to time;

“SPECIAL EVENT” means an event with ceremonies, festivities or activities, including but not limited to, parades, celebrations, rallies, races, and sports functions;

“SPECIAL EVENT PERMIT” means the City’s written approval by the Manager, to conduct an activity in a public open space, with or without conditions, for a fee;

“TRAFFIC CONTROL DEVICE” means any sign, signal, marking, or device of a permanent or temporary nature that was erected pursuant to the authority of an enactment for the purpose of regulating, warning or guiding trail users;

“TRAIL PLAN” means the document approved by council which provides guidance for City trail planning and the development of City trails and City trail networks;

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“VEGETATION” includes any living or dead bush, flower, grass, ground cover, plant, shrub, tree, turf, or vine, whether it is in a wild, natural, or landscaped state;

“VEHICLE” means any motorized vehicle or non-motorized vehicle, including a trailer or camper, but excluding a bicycle, e-bike, electric mobility device, wheelchair or mobility device. (*Bylaw 2021-23 passed April 26, 2021*)

“WASTE” includes all metal, rock, concrete, snow, water, ice, gravel, cinders, shavings, wood scrap, building materials, trade waste, household waste, grass clippings, wood chips, tree limbs, garden waste, abandoned vehicles, putrescible and non-putrescible solid wastes including broken dishes, tins, glass, rags, cast-off clothing, waste paper, cardboard, food containers, and weeds or any other material or matter likely to interfere with the appearance and use of a public open space;

“WATERCRAFT” means any boat, canoe, kayak or any other type of personal watercraft for conveyance of a person on the water;

“WATERCRAFT MOTOR” means any motor designed to propel a watercraft through water, excluding an electric watercraft motor;

“WHEELCHAIR” means a chair with wheels, used in instances where walking is impossible or difficult due to illness, injury or disability. (*Bylaw 2021-23 passed April 26, 2021*)

## **EXEMPTIONS**

3. This bylaw shall not apply to a Designated Officer, enforcement officer, or employees or agents of the Federal Government of Canada, First Nations Government, Yukon Government, City of Whitehorse, or to operators of fire, ambulance, search and rescue, or other emergency vehicles acting in the course of their lawful duties.

## **GENERAL**

4. Persons using any park equipment or public open spaces do so at their own risk and the City does not warrant such areas to be safe for use at all times.
5. This bylaw shall apply to all public open spaces in the City, subject however to the exceptions provided in any statute of the Yukon Government or any agreement entered into by the City affecting any public open space or any part thereof.
6. Notwithstanding any other provision of this bylaw, an owner or patrons of a campground shall abide by the provisions of this bylaw.
7. The Manager shall, as designated by the City Manager, be responsible for the administration of this bylaw.
8. The headings do not form a part of this bylaw but are inserted for convenience or reference only.

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## **APPLICATIONS FOR, AND USE OF, PERMITS**

9. No person, shall hold a special event in any public open space of the City without first obtaining a permit, the application for which shall be made in writing to the Manager not later than 30 days prior to the special event.
10. Notwithstanding any other provision of this bylaw, unless otherwise specified, the Manager may issue a permit for any activity regulated or prohibited by this bylaw and may impose such conditions or restrictions deemed necessary or required.
11. Where this bylaw requires an application to be made for a permit or license the Manager may establish the form and content of the application, the fee to be paid, the documentation required to be submitted with the application and the requirements that must be met for approval of the application.
12. The Manager may establish the type of permit, license, or other documented notice including the duration, and any conditions, and any other matter deemed necessary by the Manager.
13. The person to whom a permit has been issued shall comply with the permit, including any conditions or restrictions imposed therein.
14. A person or community association may request the Manager to develop, repair, upgrade, or approve a City trail pursuant to the Trail Plan.

## **PARK AND PUBLIC OPEN SPACE USE**

15. Unless permitted by the Manager, no person in a public open space shall engage in any activity that obstructs or interferes with the use or enjoyment of the area by any other person, or which, in the opinion of a Designated Officer, may cause injury or is dangerous to life or property. Without limiting the generality of the foregoing, no person shall:
  - (1) operate an amplification system;
  - (2) take part in any procession, drill, performance, ceremony, concert or public gathering;
  - (3) divert or direct the flow of ground water through or to a public open space;
  - (4) cause damage;
  - (5) injure, disturb, trap or kill any animal or bird or destroy the eggs of any bird;
  - (6) destroy any animal or bird habitat;
  - (7) remove, destroy, mutilate, vandalize or deface any structure or fixture, including but not restricted to bike lockers, monuments, ornaments, public art, walls, fences, gates, signs, benches, tables, garbage receptacles or play apparatus;

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- (8) throw, hit, shoot, propel or otherwise cause to be airborne any arrow, golf ball, dart, lawn dart, or like projectile which can potentially cause physical injury or harm unless the area is specifically designed for the activity; or
  - (9) set off, launch or operate any flying remote control device including planes, and helicopters unless the area is specifically designed for that activity.
16. In a public open space, no person shall:
- (1) urinate or defecate except in a public washroom or portable facility provided for that purpose;
  - (2) engage in sexual activity;
  - (3) loiter in any washroom or change room; or
  - (4) engage in conduct that could reasonably be considered to be offensive.
17. The City may establish hours of operation for public open spaces, the hours of which shall be posted by sign at each maintained entrance into the public open space.
18. No person shall disobey a sign or traffic control device placed in a public open space.

## **CITY TRAILS**

19. Every City trail user shall:
- (1) exercise due care and attention to avoid colliding with any other user;
  - (2) when entering or crossing a City trail, yield to users on the City trail;
  - (3) take all necessary precautions to enter the City trail safely; and
  - (4) yield to slower traveling City trail users, pedestrians, wheelchairs and mobility devices. (*Bylaw 2021-23 passed April 26, 2021*)
20. No person shall perform or engage in any stunt, trick, reckless or unsafe activity on or in any public open space, unless authorized by the City for that purpose.
21. No City trail or roadway within a public open space shall be developed or established, unless approved by the City or landowner.

## **VEGETATION PROTECTION**

22. No person shall, in a public open space and without the approval of the Manager:
- (1) injure, bury, cover, damage, dig, cut, disturb or destroy any vegetation;
  - (2) prune any vegetation;
  - (3) alter the grade level or drainage pattern so as to interfere with the access to water, air or nutrients of any vegetation;

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- (4) remove or interfere with any protective barrier placed around any vegetation;
  - (5) make ruts or displace vegetation from its place of growth;
  - (6) commence any work or activity liable to interfere with the root system of any vegetation; or
  - (7) plant any vegetation.
23. No person shall walk upon any turf or grass area where signs are posted prohibiting such activity.

## **WATERCRAFT MOTORS**

24. No person shall launch, load or unload, or be in possession of watercraft with a watercraft motor, within 25 metres of any open water listed in Appendix "A" attached hereto and forming part of this bylaw, whether or not the watercraft motor is attached to the watercraft prior to being placed in the water except for an electric watercraft motor.

## **WASTE**

25. No person shall:
- (1) place or deposit waste in any part of a public open space, except public waste in a receptacle provided for such purpose, and in which case the public waste shall not be offensive, injurious, or inconvenient to persons using such a public open space; or
  - (2) deposit household, commercial, or industrial waste of any type in a receptacle in a public open space.

## **ADVERTISING AND BUSINESS ACTIVITIES**

26. Subject to Council policies, the Manager may provide:
- (1) a public open space or portion thereof as an area for which a permit may be granted for the exclusive use by a person, group or business; and
  - (2) the conditions upon which exclusive use may be made of an area; and
  - (3) for areas excluded from use by the public.
27. Unless otherwise permitted by the bylaws, plans or policies of the City, or unless permitted by the Manager, while in a public open space no person shall:
- (1) make available, offer or give away free goods or services;
  - (2) make available for sale goods or services;
  - (3) carry on any business of any kind or nature whatsoever or solicit for any business, trade or occupation;



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- (4) place a sign or device of any kind advertising or publicizing any commercial venture or facility; or
- (5) place or leave any goods or merchandise in order to display the same for sale.

## **FIRES**

- 28. No person shall start or have any wood fire or burning embers in any public open space except in designated fire places or fire pits provided and approved by the City for such use.

## **CLOSURE**

- 29. The Manager may at any time as deemed necessary, temporarily close any public open space or any portion thereof to public use.
- 30. Unless authorized by the Manager, no person other than an employee of the City in the course of his or her duties shall enter any public open space or portion thereof while it is closed.

## **VEHICLES**

- 31. No person shall drive an automobile on a City trail unless the City trail was developed or designated for such purpose as approved by the City.
- 32. No person shall operate or park an automobile in a public open space or in a public open space within a designated development area, except:
  - (1) on a roadway or roadway right-of-way;
  - (2) in an area set aside for automobile or vehicle parking;
  - (3) for the maintenance of public utilities and other maintenance, as approved by the Manager;
  - (4) in cases of emergency; or
  - (5) for other uses as permitted by the Manager.
- 33. It is the responsibility of all public open space users to inform themselves of the location and boundaries of areas where the operation of bicycles or vehicles of any kind are prohibited, and at no time shall persons rely upon traffic control devices as the sole means of identifying such prohibited areas.
- 34. When a sign is erected in such a manner as to restrict motorized vehicles in a public open space, no motorized vehicle may be operated beyond that point except on a roadway or City trail developed for such use.

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## **CAMPING**

35. No person shall sleep in a public open space between the hours of 11:00 p.m. and 07:00 a.m., or temporarily or otherwise reside or camp in any public open space, except:
  - (1) in those areas established or designated as such by the City; or
  - (2) in those areas where a temporary permit has been issued.
36. For the purpose of this section, "reside or camp" shall include the use of tents, tent trailers, motor homes, recreational vehicles, trailers, and lean-tos or any other similar structures used for this purpose.

## **CONSTRUCTION AND DEVELOPMENT**

37. No person shall undertake any construction or development in a public open space without prior written approval from the City.
38. All development and construction shall comply with the terms and conditions of federal, territorial, and municipal legislation and shall be in accordance with approved designs and standards.
39. Any construction that occurs within six metres of a tree in a public open space shall be completed in accordance with a tree protection plan that meets the specifications approved by the Manager prior to the commencement of work.
40. No person shall place or cause to be placed in, on or surrounding any City trail or public open space any object, including but not limited to rocks, trees, chain, rope, wood, or metal, which may in the opinion of a Designated Officer obstruct or create a hazard for City trail users or persons that may use the public open space, and in addition to any other penalty or fine imposed for a breach of this bylaw, such person shall be liable for the costs to remove the obstruction or hazard.

## **TRAFFIC CONTROL DEVICES**

41. The City Manager may prescribe where traffic control devices are to be located and installed in a public open space, including traffic control devices restricting the speed or activity of any bicycle, vehicle, or person.
42. In accordance with the provisions of the *Motor Vehicles Act*, a record of all traffic control devices and their locations shall be kept at the City and shall be open for public inspection during normal City business hours.
43. No person shall erect, maintain or place a sign, device, object, or structure to regulate the use of any public open space unless approved by this bylaw.

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## **POWER OF A DESIGNATED OFFICER**

44. Every person operating a vehicle shall, immediately when signalled or requested by a Designated Officer:
  - (1) bring the vehicle to a stop;
  - (2) provide any information respecting the vehicle and themselves to the Designated Officer;
  - (3) remain stopped until such time as the Designated Officer permits them to leave; and
  - (4) comply with any request or direction of the Designated Officer.
45. For the purposes of this section, vehicle includes a bicycle.
46. A Designated Officer may remove from a public open space any person that violates any provision of this bylaw or any enactment.
47. Where a Designated Officer believes that conditions attaching to a permit are not being met or is otherwise attempting to determine the validity of a permit, the Designated Officer may ask any person claiming to be a permit holder to produce identification; and ask any relevant questions for the purposes of identification, and the person shall comply with any and all such requests.
48. A Designated Officer may enter upon any land in any area of the City, with a reasonable and probable purpose, to prevent the continuation of an offence under this bylaw which shall include, but not be limited to, obtaining particulars of ownership and determining the identity of the operator of a vehicle or bicycle.

## **SEIZURE POWERS**

49. A Designated Officer may seize and impound:
  - (1) A vehicle, if an operator fails or refuses to produce picture identification to a Designated Officer;
  - (2) A vehicle, bicycle, e-bike or e-mobility device, if a charge has been laid for a breach of this bylaw and the Designated Officer has reasonable and probably grounds to believe that there are safety concerns associated with the continuation of such breach; or
  - (3) A vehicle, bicycle, e-bike or e-mobility device which has been abandoned.  
*(Bylaw 2021-23 passed April 26, 2021)*
50. The City may retain custody of a seized and impounded vehicle, bicycle, e-bike or e-mobility device until:
  - (1) determination of the offence;
  - (2) payment of any fine or fines, including the costs of seizure, any fee and cost of storage; or

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- (3) where an item is seized in breach of this bylaw and the item is not claimed within six months from the date of seizure, upon direction of the Manager it may be disposed of pursuant to section 52 of this bylaw.

*(Bylaw 2021-23 passed April 26, 2021)*

51. Where the owner of a motorized vehicle was not the operator of the motorized vehicle or was not present at the time the motorized vehicle was apprehended, the Designated Officer shall take reasonable steps to notify the owner of its impoundment, together with the reasons for its impoundment and the place where it is impounded.
52. Where an impounded motorized vehicle or item is not claimed within six months from the date of seizure, the Manager may direct its disposal by public auction, and where the Designated Officer has determined the value of such motorized vehicle or item to be less than \$2000.00, the Manager may direct that it be disposed of at the City of Whitehorse Waste Management Facility or a scrap yard.

## **COMMITTING AN OFFENCE**

53. Every person who contravenes any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention 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, commits an offence.
54. Any person who commits an offence under this bylaw is, in addition to any other punishment, liable upon summary conviction to:
- (1) a voluntary fine, under section 20 of the *Summary Convictions Act* RSY 2002, c 210, issued in respect of an offence which shall be increased for second and subsequent offences as specified in Schedule "A" attached hereto and forming part of this bylaw; or
- (2) a fine not exceeding ten thousand dollars (\$10,000.00) plus a fine of up to \$2,500 for each day that the offence continues, pursuant to section 343 of the *Municipal Act* RSY 2002 c 154.
55. The fine imposed under this bylaw may increase for second and subsequent offences.
56. Where a person is convicted of an offence under this bylaw the Judge may, in addition to any other measure imposed on the offender, order that the offender pay restitution pursuant to section 738 of the *Criminal Code of Canada*.
57. Where an offence is committed or continues on more than one day, it may be deemed to be a separate offence for each day on which the offence is committed or continued.
58. Should any person owning real property within the City refuse or neglect to pay any fine that has been imposed pursuant to this bylaw, the City may charge the

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real property with the amount of the fine, which charge shall form part of the taxes payable in respect of that real property.

## **MOTORIZED VEHICLE OWNER'S AND OPERATOR'S RESPONSIBILITY**

59. Where an offence under this bylaw is committed by a person operating a motorized vehicle, the owner of the motorized vehicle is guilty of the offence, notwithstanding that the owner was not operating the motorized vehicle at the time of the violation, and the owner is liable, on summary conviction, to the penalty provided for that offence, unless the owner satisfies the Judge that, at the time of the violation, the motorized vehicle was in the possession of a person without the consent of the owner.

## **BYLAW REPEAL**

60. Protected Area Bylaw 426, including all amendments and maps attached thereto, is hereby repealed.
61. Parks and Recreation Area Bylaw 92-15, including all amendments thereto, is hereby repealed.

## **COMING INTO FORCE**

62. This bylaw shall come into full force and effect upon the final passing thereof.

**FIRST and SECOND READING:** June 29, 2015  
**THIRD READING and ADOPTION:** July 13, 2015

*ORIGINAL BYLAW SIGNED BY:*

"Dan Curtis"

Dan Curtis, Mayor

"V. Anderson"

Valerie Anderson, Acting City Clerk

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## SCHEDULE "A"

### Voluntary Fines

Section	Description of Offence	Penalty
9	Hold special event without a permit	\$100.00
13	Fail to comply with conditions or restrictions of a permit	\$100.00
15(1)	Unapproved operation of amplification system	\$100.00
15(2)	Unapproved public gathering	\$100.00
15(3)	Tamper with flow of water	\$100.00
15(4)	Cause damage while in public open space	\$300.00
15(4)	Cause damage while in public open space (2 <sup>nd</sup> offence)	\$500.00
15(5)	Injure, trap or kill an animal or bird or destroy bird eggs	\$500.00
15(6)	Destroy animal or bird habitat	\$300.00
15(7)	Remove, destroy, mutilate, vandalize or deface property	\$300.00
15(8)	Propel projectile which can cause physical injury	\$300.00
15(9)	Launch, operate or set off flying remote control device	\$100.00
16(1)	Urinate or defecate in public open space	\$100.00
16(2)	Engage in sexual activity	\$100.00
16(3)	Loiter in washroom or change room	\$100.00
16(4)	Engage in conduct considered offensive	\$300.00
18	Disobey sign or traffic control device	\$100.00
19(1)	Fail to exercise due care and attention	\$100.00
19(2)	Fail to yield to users on City trails	\$100.00
19(3)	Fail to take all necessary precautions for safe trail use	\$100.00
19(4)	Fail to yield right-of-way to slower users, pedestrians, etc.	\$100.00
20	Engage in stunt, trick, reckless or unsafe activity without authority	\$100.00
22(1)(2)	Damage to vegetation	\$300.00
22(1)(2)	Damage to vegetation (2 <sup>nd</sup> offence)	\$500.00
22(3)(4)(5)(6)	Tamper or interfere with vegetation	\$100.00
22(7)	Plant vegetation without approval	\$100.00
23	Walk on turf or grass area against posted restriction	\$100.00
24	Launch, load or unload watercraft into open water	\$100.00
25(1)	Litter in a public open space	\$500.00
25(2)	Deposit household, commercial or industrial waste in receptacle	\$500.00

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Section	Description of Offence	Penalty
27(1)(2)	Unauthorized distribution or sale of goods and services	\$100.00
27(3)	Carry on or solicit for unauthorized business	\$100.00
27(4)	Unauthorized placement of sign or device	\$100.00
27(5)	Unauthorized placement of goods or merchandise	\$100.00
28	Unauthorized open fire	\$300.00
28	Unauthorized open fire (2 <sup>nd</sup> offence)	\$500.00
30	Unauthorized entry into public open space while it is closed	\$100.00
31	Illegal operation of automobile on City trail	\$300.00
31	Illegal operation of automobile on City trail (2 <sup>nd</sup> offence)	\$500.00
32	Illegal operation of vehicle in public open space	\$300.00
32	Illegal operation of vehicle in public open space (2 <sup>nd</sup> offence)	\$500.00
34	Operate motorized vehicle contrary to signs	\$300.00
34	Operate motorized vehicle contrary to signs (2 <sup>nd</sup> offence)	\$500.00
35	Camping in non-designated area	\$100.00
37	Unauthorized construction or development	\$300.00
40	Obstruct use or create hazard for users	\$300.00
43	Unauthorized sign, device, object or structure	\$100.00
44(1 – 4)	Fail to comply with Designated Officer	\$100.00
47	Fail to produce identification/respond to Designated Officer	\$100.00

# Office Consolidation of Parks and Public Open Space Bylaw 2015-20

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## APPENDIX "A"

### Open Water

1. Chadburn Lake
2. Chadden Lake
3. Hidden Lakes (Riverdale)
4. Long Lake
5. Pump House Pond
6. Mary Lake
7. Hidden Lake (Porter Creek)
8. Ear Lake
9. McLean Lake



# Office Consolidation of Parks and Public Open Space Bylaw 2015-20

## Map – Schedule “B”

