

PARKLAND COUNTY
PROVINCE OF ALBERTA

BYLAW 2023-16

BEING A BYLAW FOR THE PURPOSE OF CONTROLLING AND REGULATING THE USE OF PARKS AND TRAILS WITHIN PARKLAND COUNTY

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, authorizes council to pass bylaws respecting the safety, health and welfare of people and the protection of people and property;

WHEREAS the *Municipal Government Act* provides that a Council may pass Bylaws related to the control and operation of parks and public open space areas;

WHEREAS the parks and public open spaces are provided for the safe and peaceful enjoyment of the general public;

WHEREAS under the provisions the *Provincial Offences Procedure Act*, RSA 2000 Chapter P-34, and the of *Municipal Government Act*, Council is authorized to pass bylaws to provide for the payment of violation tickets or summons out of court, and;

NOW THEREFORE the Council of Parkland County duly assembled and under the authority of the *Municipal Government Act*, as amended, hereafter enacts the following:

TITLE

This bylaw shall be cited as the "Parks Bylaw".

DEFINITIONS

1. The following definitions will apply to the corresponding words in this bylaw:

- (1) "Abandoned" means left standing in a Park for more the seventy-two (72) consecutive hours without a Permit or authorization from the County;
- (2) "Aircraft" means a device that is designed to carry one or more persons or objects through the air in powered or powerless flight;
- (3) "Amenity" means anything constructed or placed in a Park for the enjoyment or convenience of users of the Park, whether temporary or permanent, excluding Park vegetation and including any signs, building, wall, bench, table, railing, stairs, water feature, fire pit, playground equipment, waste receptacles, guardrail, headstone, memorial marker or similar thing;
- (4) "Animal" means a domestic animal and includes an animal that is wild by nature but has been domesticated;
- (5) "Bicycle" means any cycle propelled by human power, up on which a person may ride, regardless of the number of wheels it may have and includes Class one (1) e-bicycle;
- (6) "Business" means any trade, industry, employment, occupation, activity, or special event carried on in a Park for profit, gain, commercial promotion or fundraising including those taken on by a charitable organization, or by an organization, or individual on a non-profit basis;
- (7) "Camp" means locating of, erecting of, or use of a camping accommodation unit for the provisions of sleeping accommodations, and includes overnight or any portion thereof;
- (8) "Campground" means a designated area for overnight stays in an outdoor setting with supporting facilities;
- (9) "Cannabis" means Cannabis as defined under in the *Gaming, Liquor and Cannabis Act*, RSA 2000, c G-1;
- (10) "Commercial Activities" means any activities associated with a Business;
- (11) "Council" means the Council of Parkland County;
- (12) "County" means Parkland County;
- (13) "Cycle" means a Bicycle, E-Bicycle, E-Scooter or moped;
- (14) "Day-Use Area" means a Park or portion thereof formally developed and maintained by the County;
- (15) "Drone" means a powered device remotely controlled from the ground that is designed to fly without any person on board;

- (16) "E-Bicycle" means a power bicycle under the *Traffic Safety Act*, which can be delineated into the following classes:
- (a) Class 1: a bicycle equipped with a motor that provides assistance only when the rider is pedaling (pedal assist) and ceases to provide assistance when the bike reaches 32 km/h and has a maximum continuous wattage output of 500 watts;
 - (b) Class 2: A bike equipped with a motor that can be used exclusively to propel the bike (throttle equipped) and ceases to provide assistance when the bike reaches 32 km/h;
 - (c) Class 3: A bike equipped with a motor that provides assistance only when the rider is pedaling (pedal assist) and ceases to provide assistance when the bike reaches 45 km/h;
- (17) "E-Scooter" means an Electric Kick Scooter that:
- (a) Has steering handlebars;
 - (b) Is designed to travel on not more than two wheels in contact with the ground;
 - (c) Is equipped with a standing surface and is designed to be operated by a single occupant from a standing position;
 - (d) Is not equipped with a seating surface, and is not designed to be operated from a seated position;
 - (e) Is capable of being propelled by muscular power;
 - (f) Has one or more electric motors that have, singly or in combination, the following characteristics:
 - (a) The total continuous power rating, measured at the shaft of each motor, of 500W or less; and
 - (b) Power assistance immediately ceases when the brakes are applied;
- (18) "Fire Ban" means an order issued by the Minister responsible for the *Forest and Prairie Protection Act*, RSA 2000, c F-19, or an order issued pursuant to the *Fire Services Bylaw*, for the purpose of cancelling all fire permits, prohibiting the lighting of, and requiring the extinguishment of all fires within the County;
- (19) "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;
- (20) "Geocaching" means an outdoor activity in which participants use a global positioning system receiver or mobile device and other navigational techniques to hide and seek containers, called geocaches or caches;
- (21) "Geocache" means a container, usually containing a logbook and small trading items, tucked away for others to find;
- (22) "Highway" means a highway as defined under the *Traffic Safety Act*;
- (23) "Horse" means any domesticated equine mammal;
- (24) "Liquor" means liquor as defined under in the *Gaming, Liquor and Cannabis Act*;
- (25) "Motor Vehicle" means a motor vehicle as defined under the *Traffic Safety Act*;
- (26) "Off-highway vehicle" means any amphibious machine, all-terrain vehicle, miniature motor vehicle, snow vehicle or minibike, all of which have the same meaning as in the *Traffic Safety Act*;
- (27) "Off-Leash Area" means any area of public land designated by the County as a location within which dogs do not need to be on a leash and under the control of a responsible Person;
- (28) "Owners" means
- (a) An owner as defined under the *Traffic Safety Act*, or
 - (b) The person who owns or is in care and control of an animal;
- (29) "Park" means a public space controlled by the County and set aside as a park to be used for rest, recreation, exercise, pleasure, amusement, cultural heritage, education, appreciation of nature, and enjoyment and includes:
- (a) Day-use parks;

- (b) Playgrounds;
 - (c) Cemeteries;
 - (d) Campgrounds;
 - (e) Natural areas;
 - (f) Sports fields;
 - (g) Pathways;
 - (h) Picnic areas;
 - (i) Playing fields;
 - (j) Trails; and
 - (k) Park roadways;
- (30) "Park Roadway" means a road, including parking lots for Vehicles, in a park which is set aside specifically for use by Vehicles and bicycles but does not include Trails or Pathways;
- (31) "Pathway" means a multi-purpose thoroughfare controlled by the County that is set aside for use by pedestrians, cyclists and persons using wheeled conveyances, which is improved by asphalt, concrete, brick or any other surface, whether or not it is located in a park, and includes any bridge or structure with which it is contiguous;
- (32) "Peace Officer" means a peace officer as defined in the *Provincial Offences Procedures Act*, RSA 2000, c P-34;
- (33) "Permit" means any form of permission, including permit, license, approval, authorization, consent, or other form of concurrence that is or may be issued or otherwise given pursuant to this Bylaw, but does not include a disposition;
- (34) "Person" means any individual, firm, partnership, association, corporation, or society;
- (35) "Playing field" means land within the County and controlled by the County which is set apart and used for a specific recreation activity such as a skate park or pump track;
- (36) "Remedial Order" means an order issued pursuant to the *Municipal Government Act*;
- (37) "Sports field" means land within the County and controlled by the County which is set apart and used for the playing of a sport including baseball diamonds, field hockey, soccer, and court sports facilities;
- (38) "Trail" means an established path designated by the County within a park, which is not improved by concrete, asphalt or brick and includes any bridge or structure with which it is contiguous;
- (39) "Trailer" means a trailer as defined in the *Traffic Safety Act*;
- (40) "Unimproved Trail" means an identifiable path, track or public right of way intended for use that has a natural surface and is not developed and/or maintained;
- (41) "Vegetation" means all trees, fungus, shrubs, plants, flowers and grass and all ground cover, whether it is in its wild or natural state, or has been planted;
- (42) "Vehicle" means a vehicle as defined in the *Traffic Safety Act*;
- (43) "Violation ticket" means a violation ticket as defined in the *Provincial Offences Procedures Act*;
- (44) "Wheeled Conveyance" means any human powered or electric motorized vehicle designated by the County to be permitted on a Pathway but does not include any vehicle with an internal combustion;
- (45) "Wildlife" means non domesticated animals, or an animal that is wild by nature and in living in its natural habitat but does not include feral cats.

INTERPRETATION

2. The headings in this Bylaw are for reference purposes only.

USE OF PARKS

Public Access and Enjoyment

3. A Person who enters a Park shall comply with any lawful order and instructions made or issued pursuant to this Bylaw and the instructions, prohibitions and directions prescribed by all County signs and notices.
4. A person engaging in an activity under this Bylaw shall pay the fee in respect to that activity that is required and set by the County as listed in the Parkland County *Fees and Charges Bylaw*.
5. Parks are open for public use from 5:00 A.M. until 11:00 P.M. daily unless otherwise posted.
6. A person shall not enter or remain in a Park from 11:00 P.M. to 5:00 A.M. without a Permit.
7. All Pathways are open 24 hours a day.
8. No person shall be in violation of Clause 6 if he or she is attending a sanctioned function at a community hall facility, recreation facility, or school facility situated on or adjacent to a Park or at a function or event which has received permission from the County.

Safe and Courteous Behaviour

9. No person shall defecate or urinate in a Park except in designated facilities.
10. No person shall make or cause any noise or sound, including the playing of portable music devices that in the opinion of a Peace Officer:
 - (1) Disturbs, or is likely to disturb the peace, enjoyment, or comfort of persons in the vicinity, or
 - (2) Disturbs or disrupts or is likely to disturb or disrupt wildlife in the Park.
11. No person shall act in a way that in the opinion of the Peace Officer is disorderly, dangerous, or offensive, including but not limited to: excessive and loud use of offensive language, drunkenness, nudity, and violent behavior.
12. A person vacating a Park shall restore the land and improvements as nearly as possible, to a clean and tidy condition.
13. No person shall mark, deface, injure, move, destroy or otherwise interfere with any Amenity that is erected in any Park.
14. Notwithstanding Clause 13, an employee, agent or contractor of the County, in carrying out their duties in a Park may add, remove or damage property.

Cannabis, Liquor, Smoking, Vaping

15. No person shall possess open liquor while in a Park.
16. No person shall consume alcohol in a Park.
17. Notwithstanding Clause 16, a person may consume alcohol
 - (1) In their registered campsite, or
 - (2) An event with a Permit for the consumption of alcohol.
18. No person shall smoke or vape any substance within 5 meters of playgrounds, sports or playing fields, outdoor pools, outdoor theatres, spray park or location of an approved special event.
19. When the Peace Officer encounters a person committing an offence under Clause 15, Clauses 16, and/or Clause 18 the Peace Officer may direct the person to dispose of the substance.

Activities Allowed in Designated Areas Only

20. A person may only engage in the following activities in a designated area of a Park:
 - (1) Riding a toboggan, sleigh, carpet or any other sliding device;
 - (2) Disc golf;
 - (3) Off-leash dog;
 - (4) Horseback riding;
 - (5) Hockey;
 - (6) Wading or swimming;
 - (7) Skating;
 - (8) Off-Highway Vehicles;
 - (9) Operating remote controlled toys including remote controlled cars and boats;
 - (10) Graffiti walls;
 - (11) Discharge of a Firearm; or

- (12) Casting, throwing or otherwise launching any stones, lawn darts, golf balls, missiles, model rockets, or dangerous objects from, on or over any Parks.

21. The County may designate areas in which the activities listed in Clause 20 are allowed.

Activities Requiring Permits

22. A person may only engage in the following activities in a Park with a valid Permit:

- (1) Leave or place any sign;
- (2) Conduct any business or commercial venture;
- (3) Sell, display, or distribute any goods or services, free or paid, including but not limited to:
 - (a) Setting up temporary art installations;
 - (b) Conducting a performance or performances lasting a cumulative time of thirty (30) minutes or more within a twenty-four (24)-hour period;
 - (c) Hosting a registered or drop-in/spontaneous program or class or event;
- (4) Organize or participate in an outdoor gathering of more than fifty (50) people within a designated Park unless it is a sanctioned function at a community hall, recreation facility or school facility situated on or adjacent to Parkland;
- (5) Using an amplification system where the amplified sound is audible by others;
- (6) Taking off or landing a hot air balloon;
- (7) Hosting or participating in an off-leash dog event in areas other than a designated off-leash areas;
- (8) Erecting any artificial wildlife habitat structures including bird houses, bat boxes or bird feeders;
- (9) Engaging in wildlife research;
- (10) Possess or set off any firecracker, fireworks or explosive material of any kind;
- (11) Operate a model aircraft, rocket or other power assisted flying model;
- (12) Operate a drone, micro-drone or a Remotely Piloted Aircraft System (RPAS) for private or commercial purposes;
- (13) Spread or deposit cremated remains;
- (14) Engage in winter storage of docks, boat lifts, and swim platforms on Park land;
- (15) Overnight parking or mooring; or
- (16) Camp or erect a tent or other structure.

23. The County may issue a Permit to allow a person to engage in any of the activities, listed in Clause 22 or in any other Clauses of this bylaw, in a Park.

- (1) A Permit will be issued in accordance with the *Parks Permitting Directive*.
- (2) The County may charge any fees necessary to recover any expenses incurred to support the event and Permit application.

24. Any person issued a Permit under this Bylaw must:

- (1) Have the Permit available for review and inspection when exercising the rights granted under the Permit;
- (2) Comply with all conditions stated therein; and
- (3) Produce the Permit upon demand of a Peace Officer.

Reserved Areas

25. The County may issue a Permit granting a person exclusive use of

- (1) A Park or portion of a Park.
- (2) A Sports field or portion of a Sports field.
- (3) A Campground or portion of a Campground.
- (4) A Picnic Area.

26. When the County has granted exclusive use, no Persons shall interfere with the exclusive use of any area of Park granted to another person or group during the times and in the areas for which the Permit is granted.

Geocaching

27. Any cache placed in a Park:
- (1) Will not be considered as permanent;
 - (2) The owner of the cache must remove the cache if they are no longer actively promoting it;
 - (3) Must be placed adjacent to a Trail or Pathway or Park Roadway; and
 - (4) May not be placed in a manner that disturbs or damages vegetation.
28. Caches may be removed by the County at the County's sole discretion.

Animals

29. Unless otherwise allowed by this bylaw no person shall allow any animal under their control, or for which they are responsible, to be in a Park, including but not limited to:
- (1) Designated swim area;
 - (2) A beach area adjacent to a designated swim area;
 - (3) A public washroom, picnic shelter, public shelter or any other public building;
 - (4) A playground, designated sports field or structure; or
 - (5) An area where signs are posted prohibiting animals.
30. A person may bring a dog
- (1) On a Trail, or Pathway so long as the dog remains on a leash;
 - (2) Into an area governed by signage permitting Dogs on a leash;
 - (3) Off leash in a designated Off Leash Area;
- and dogs must be kept at least ten (10) metres from any
- i. Developed playground or sports field;
 - ii. Designated swim area; and
 - iii. Beach area adjacent to a designated swim area.
31. The Owner shall clean up fecal waste from their animal and dispose of it sanitarly in a receptacle for litter or in some other suitable container.
32. Notwithstanding Clause 31, Horse manure can remain on Trails and in Parks with grass and dirt bases. The Owner must remove all Horse manure from any paved or gravel surfaces.
33. No person shall bring livestock into a Park unless a Permit has been issued.
34. A person may ride, walk, or bring a horse in a Park where signs do not prohibit it.
35. Notwithstanding Clause 34, no person shall ride, walk or bring a Horse into any designated playground, sports field or cross-country ski trail unless governed by signage permitting Horses.
36. A Peace Officer may refuse admittance to a Park or require to be removed from a Park any Animal if in his opinion, it is not under the control of a responsible person or may be a nuisance or damage to the life, safety, health, property or comfort of any person in the Park.

Drones

37. A person must not operate a Drone in a Park.
38. Notwithstanding Clause 37, a person may operate a Drone that:
- (1) Weighs less than 250 grams; and
 - (2) Complies with all provincial and federal legislation including all requirements under the *Canada Aeronautics Act*, RSC 1985, c A-2 and its subordinate regulations
- in an area of a park designated by the County for Drone use.
39. Notwithstanding Clause 37, a person may operate a Drone that:
- (1) Complies with all provincial and federal legislation including all requirements under the *Canada Aeronautics Act*, RSC 1985, c A-2 and its subordinate regulations
- in a park in accordance with a Permit issued by the County.

Cycles and Wheeled Conveyance (including Bicycles, E-Bicycles and E-Scooters)

40. While in a Park no person shall operate a Cycle or Wheeled Conveyance unless it is equipped with a working bell or horn.
41. While in a Park operating a Cycle or Wheeled Conveyance between sunset and sunrise, a person must ensure it is equipped with a forward-facing white light and rear red reflector.
 - (1) If the equipment will not fit on a Cycle or Wheeled Conveyance, a person may wear a forward-facing white light, and rear red reflector on themselves.
42. Class 2 E-Bicycles and Class 3 E-Bicycles are only permitted on Park Roadways and in areas designated for Off Highway Vehicles pursuant to Clause 47.
43. While in a Park no person shall operate a E-Scooter unless it is equipped with a hand brake.

Trails and Pathways

44. Unless otherwise authorized by this Bylaw, no person shall operate a Vehicle on a Pathway, Trail, or in a Park.
45. A Person riding or operating a Bicycle, Class 1 E-Bicycle, or E-Scooter may only do so on Pathways, Trails, or in areas designated by the County with signs for that purpose.
46. Notwithstanding Clause 44, the riding or operation of E-Scooters is not permitted on Unimproved Trails.
47. Off-Highway Vehicles may only be used in areas designated by the County for that purpose.
48. Every Person shall:
 - (1) Use care and attention to avoid any collision with another user;
 - (2) Keep to the right-hand side of the Pathway or Trail except when overtaking;
 - (3) Not travel at a speed that is unreasonable due to weather, traffic or conditions; and
 - (4) Alert anyone about to be overtaken by giving an audible signal a reasonable time before overtaking; and use reasonable care when overtaking another person.
49. No person shall use a Trail or Pathway in a manner prohibited or regulated by signage governing the Trail or any portion of the Trail.
50. No person shall use a Trail when conditions are such that using the Trail is reasonably likely to result in damage to the Park.
 - (1) "Damage" includes but is not limited to:
 - i. Erosion of the Trail or the surrounding area; or
 - ii. Rutting the surface of the Trail.

Rivers and Waterways

51. A person must not use a watercraft in a river, lake or pond in a Park unless the watercraft has been cleaned, drained and dried beforehand.
52. No person shall enter a river, lake or pond, in or adjacent to a Park, by means of a watercraft, from a Park unless it is at a site designated for that purpose or with a Permit issued by the County.
53. No person shall swim, wade or bathe in any lake, pond or other similar body of water in or adjacent to a Park except in an area designated by the County for this activity.
54. No person shall allow a dog or other domestic animal to enter a river, lake or pond in or adjacent to a Park unless it is at a site designated for this purpose.
55. Notwithstanding Clauses 45, 46, and 47, a person must not enter a river, lake or pond in or adjacent to a Park from a Park during a high flow or boat advisory.

Closures

56. A person shall not close, obstruct or cause, in whole or portion, of any Park to be closed or obstructed without a Permit.
57. A person must not conduct maintenance or construction activities within 5 meters of Park without a Permit.
58. A Permit may be issued for the following:
 - (1) Access, install or maintain underground utilities;
 - (2) Complete road or other construction work impacting the use of the Pathway or Trail, or;
 - (3) An activity or event in a Park.

Seasonal Storage

59. Winter storage of docks, boat lifts, and swim platforms on Park land may be authorized between October 1st and May 31st of each calendar year with a valid Permit.

Camping

60. Any person who enters a designated Campground shall comply with:
- (1) Any rule or regulation as contained in the camping Permit, or otherwise made or issued pursuant to this Bylaw; and
 - (2) Instructions, prohibitions and directions prescribed by all signs or notices.
61. No person shall set up, take temporary abode, or otherwise Camp overnight, in a Park:
- (1) Except in an area designated for the purpose unless they are otherwise authorized by the County, and;
 - (2) Display a valid Permit to do so.
62. No person shall Camp for more than fourteen (14) consecutive days in the same campground in a Park without the written permission of the County.

Waste

63. No person shall dispose of waste in a Park unless it is placed in the designated waste receptacle.
64. In areas in a Park where waste disposal receptacles are not provided, all users shall carry any waste produced by them out of the area for disposal.
65. No person shall bring commercial or residential waste matter into a Park for disposal.
66. Waste generated from commercial activity must be removed by the Permit holder.
67. No person shall dispose of any organic materials including grass clipping, dirt, rubble and leaves in a Park.

Fires

68. No person shall set, light or maintain a fire in all or any part of the Park where a sign or notice prohibits the same.
69. No person shall:
- (1) Set, light or maintain a fire in a Park except in a fireplace, pit or other facility designated for that purpose;
 - (2) Leave a fire unattended or allow it to spread;
 - (3) Deposit or dispose of hot coals, ashes, embers or other burning or smoldering material in a place other than a stove, fire pit or other designated location; or
 - (4) Leave a fire, hot coals, embers or other burning or smoldering material without extinguishing them prior to leaving the Park.
70. Notwithstanding clause 68 an employee, agent or contractor of the County, in carrying out their duties in a Park may, upon obtaining a valid fire Permit, conduct a prescribed burn when it is necessary for Park maintenance, development or improvement.
71. Where the Fire Chief is of the opinion that a fire hazard exists in a designated 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 designated Park.

Cemeteries

72. Park lands designated as cemeteries by the County may have operating procedures established for each individual cemetery regarding the use, maintenance, and operations. All signage must be adhered to.

Vehicles

73. No person shall:
- (1) Operate a Motor Vehicle in a Park, except on a Park Roadway;
 - (2) Park a Vehicle in a Park except in areas designated for Vehicle parking;
 - (3) Leave a Vehicle in a Park between 11:00 P.M. and 5:00 A.M., unless the Vehicle is associated with a permitted event and a Motor Vehicle parking Permit has been issued;
 - (4) Drive a Vehicle in a Park at a speed limit greater than 20 kilometers per hour unless a higher or lower speed limit is posted; or
 - (5) Disobey a flagger or person directing traffic within a Park.

74. A Peace Officer may prohibit the entry of a Vehicle into any part of a Park.
75. If a Vehicle is abandoned or remains in an area after authorization to be in that area expires, or is located in a prohibited area, a Peace Officer may move the object or cause it to be moved and stored at a location determined by the Peace Officer in accordance with Clause 83 and Clause 84.
76. Notwithstanding Clause 73, a person or persons may, with a Permit from the County use an appropriate vehicle when it is necessary for special event management and operation.
77. Notwithstanding Clause 73, an employee, agent or contractor of the County, in carrying out their duties in a Park may use an appropriate vehicle when it is necessary for Park maintenance, development, or improvement.

Parking

78. A Vehicle is considered to be parked when it has come to a full stop and the engine is turned off, whether occupied or not, regardless of the vehicle's location in the parking areas with the following except:
 - (1) When parked temporarily for a reasonable time for the purpose of, and while actively engaged in, loading or unloading passengers, or
 - (2) When parked temporarily in a designated staging area while actively securing or untying a boat, or
 - (3) When complying with a direction given by a Peace Officer or traffic control device.
79. All persons parking their Vehicle and/or Trailer in a designated parking lot must comply with the signage posted and park in the appropriate designated areas for their vehicle size and purpose.
 - (1) No parking at anytime is permitted in the following areas:
 - i. Marked for Emergency Use Only.
 - ii. Designated No Parking Zone.
 - iii. Traffic flow or launching area.
 - iv. Marked for pedestrian use.
 - (2) Vehicles shall be parked in accordance with stall delineation markers or posted signage.
80. Paid Parking Lots
 - (1) Paid Parking lots will be identified by signage upon entering the lot;
 - (2) A Vehicle or Trailer parked in a paid lot
 - i. Shall not park in any spot without paying the posted fee;
 - ii. Shall pay the fee immediately upon arrival except when a fee is not in effect at time of arrival and departure;
 - iii. Shall pay the fee upon departure if the fee was not in effect at arrival but is in effect at time of departure;
 - iv. Shall not exceed the time limit indicated for the fee paid; and
 - v. Display the valid parking pass in lots where signage requires it.
81. Overnight parking is not permitted in any Park parking lot except with a Permit for this purpose.
82. Overnight mooring at any County owned or operated docks is not permitted except with a Permit for this purpose.

Storage

83. Any objects left in a Park after closing or appear abandoned may be moved and stored. A person may collect lost or abandoned objects upon payment of the cost of removal and storage, as may be applicable.
84. Property stored pursuant to Clause 83 and which remains unclaimed for a period of thirty (30) days from the date it was stored, may be disposed of pursuant to section 610 of the *Municipal Government Act* through public auction or at Council's direction.

Commercial Activities in Parks

85. No person shall engage in a Commercial Activity on Park land without a Permit for that purpose.
86. A Permit, lease or agreement, may be issued for Commercial Activity, where that activity enhances the existing purpose of the Park.

87. Commercial activities include:
- (1) Food service;
 - (2) Entertainment, including busking;
 - (3) Festivals or events; and
 - (4) Programs, lessons, equipment rentals or other Park related activities.
88. A Permit will not be issued if the activity could negatively impact users or the natural environment of the Park or is inconsistent with the purpose of the Park.

ENVIRONMENTAL PROTECTION

Water

89. No person shall bathe, or clean clothing, cooking and eating utensils, vehicles or other items, at or near any bodies of water, drinking fountain, stand pipe, well or pump in any Park.

Wildlife

90. No person or animal under the care of a person shall hunt, tease, molest or injure any Wildlife in any Park nor throw any substance at or near such creatures in a Park in such a way to cause them alarm, possible injury or death.
91. Notwithstanding Clause 90 an employee, agent or contractor of the County, in carrying out their duties in a Park may, in accordance with the *Wildlife Act*, carry out wild or domestic animal control.

Vegetation

92. No person shall engage in any activity in a Park that disturbs or damages Vegetation.
93. No person shall remove or disturb any Vegetation, weeds or invasive species in a Park, without a Permit.
94. No person shall plant any Vegetation in a Park without a Permit.
95. No person shall cut, irrigate, spray or apply any substance, including pesticides and fertilizers, to any grass or Park Vegetation.
96. Notwithstanding Clause 95 the occupant of a property that is directly adjacent to a Park, is authorized to cut the grass in the Park within one (1) meter of the Park Boundary directly adjacent to their property but this does not include the trimming or removal of trees, bushes or any other vegetation.
97. No person shall drain or redirect any water from private parcel of land onto or into a Park.
98. An employee, agent or contractor of the County, in carrying out their duties in a Park may:
- (1) Conduct alternative pest management, including the use of livestock to carry out targeted grazing; and
 - (2) Plant, harvest or damage Vegetation.

Encroachment

99. No Person shall encroach onto a Park without a Permit.
100. Encroachments include, but are not limited to, the placement of a driveway or parking area, utilities, telecommunication facilities, walkway, patio, deck, retaining wall, fence, shed, residence, steps, stairs, fire pit, firewood, composter, vehicles or other structures and chattels. Drainage facilities such as pipes, catch basins, ditches, sumps, swales, on site sewage disposal, detention ponds or ancillary structures; building materials, stockpiles, debris, refuse or other chattels.

ENFORCEMENT AND PENALTIES

Offences

101. Any person who contravenes any provision of this Bylaw is guilty of an offence pursuant to this Bylaw.
102. Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding two thousand five hundred dollars (\$2,500.00) exclusive of costs, and in default of payment of any fine imposed to a period of imprisonment not exceeding six (6) months.

Enforcement

103. No person shall interfere with or obstruct a Peace Officer in the exercise of their powers and duties pursuant to this Bylaw.

- 104. Where a Peace Officer believes that a person has contravened any provisions of this Bylaw, they may commence proceedings against the person by issuing a Violation Ticket in accordance with *Provincial Offences Procedure Act*.
- 105. If a Motor Vehicle, Off-Highway Vehicle, Cycle, Drone, Boat, Trailer or Wheeled Conveyance is involved in a contravention of this Bylaw, the Owner of that Motor Vehicle, Off-Highway Vehicle, Cycle, Drone, Boat, Trailer or Wheeled Conveyance is guilty of an offence.
- 106. No person shall refuse to leave a Park after having been asked to do so by a Peace Officer or who has been issued a Violation Ticket for contravening this Bylaw may be removed from the Park.
- 107. This section shall not prevent a Peace Officer from issuing a violation ticket requiring a court appearance of the defendant pursuant to the *Provincial Offences Procedure Act*, or from laying an information instead of issuing a violation ticket.
- 108. If the complainant fails to supply evidence to a Parkland County representative on any issue within this Bylaw, the County may elect not to investigate the complaint.

Penalty

- 109. The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in in the Parkland County *Fees and Charges Bylaw*.
- 110. The levying and payment of any fine or the imprisonment of any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges, or costs from which that Person is liable under the provisions of this Bylaw or any other Bylaw.
- 111. The County has the ability to exercise discretion in the application of this Bylaw and its contents as defined in Section 529 of the *Municipal Government Act*.
- 112. A Peace Officer may use discretion, mediation and provide increased awareness and education in lieu of applying violation tickets and penalties.

Remedying Contraventions

- 113. Where a Person has contravened any provision of this Bylaw, a Remedial Order may be issued requiring the Person to remedy the contravention.
- 114. A Person who fails to comply with a Remedial Order within the time set out in the Remedial Order commits an offence.

SEVERABILITY

- 115. Should any provision of this Bylaw be deemed invalid then such invalid provision will be severed from this Bylaw and such severance will not affect the validity of the remaining portions of this Bylaw, except to the extent necessary to give effect to such severance.

EFFECTIVE DATE

This Bylaw hereby repeals Bylaw No. 44-2002 and Bylaw No. 26-98.

This Bylaw shall come into full force and effect upon third and final reading thereof.

READ A FIRST TIME this 10th day of October, 2023.

READ A SECOND TIME this _____ day of _____, 2023.

READ A THIRD TIME this _____ day of _____, 2023.

SIGNED AND PASSED this _____ day of _____, 2023.

Mayor

Chief Administrative Officer