

**TOWN OF LAKE COWICHAN**

**BYLAW NO. 919-2012**

**PARKS REGULATION**

**A BYLAW TO REGULATE USE OF PARKS IN THE MUNICIPALITY**

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WHEREAS pursuant to the Community Charter, Council is authorized to regulate the use of the public properties, and may make such rules and regulations as may be necessary for governing the management, maintenance, improvement, operation, control and use of such properties;

AND WHEREAS it is deemed expedient to make certain regulations for the control, regulation, protection and government of the public parks and of places within the jurisdiction of the Town and of persons who may be therein:

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Lake Cowichan, an open meeting assembled, hereby ENACTS AS FOLLOWS.

**1. CITATION**

This Bylaw may be cited as "Town of Lake Cowichan Parks Regulation Bylaw No. 919-2012".

**2. INTERPRETATION**

In this Bylaw:

**COUNCIL** means the Council of the Town of Lake Cowichan;

**LIQUOR** means:

- (a) fermented, spirituous and malt liquors;
- (b) combination of liquors; and
- (c) drinks and drinkable liquids that are intoxicating;

and a liquor that contains more than 1 percent alcohol by volume shall be conclusively deemed to be intoxicating; and "liquor" includes beer, or a substance which, by being dissolved or diluted is capable of being made a drinkable liquid that is intoxicating and which substance is declared by order of the Lieutenant Governor in Council to be liquor.

**PARK** means beaches, boulevards, campsites, grassed plots, playfields, playgrounds, trails, , public squares and other recreation open spaces which are owned, possessed or operated by the Town of Lake Cowichan and which are used, reserved or dedicated for public park purposes;

**SUPERINTENDENT** means the person duly appointed as such from time to time by Council as the Superintendent, Public Works and Engineering Services;

**TOWN** means the Town of Lake Cowichan;



**3. GENERAL REGULATIONS**

1. No person shall cut, break, injure, remove or in any way destroy or damage any rock, soil, tree, shrub, plant, turf or flower, or any building, structure, fence, sign, seat, bench or ornament of any kind or in any way foul or pollute any fountain, lake, stream, pool, pond, well or spring in any park, or injure, deface or destroy any notices, rules or regulations posted or affixed to anything by order or permission of the Town.
2. No person shall climb, walk, or sit upon any wall, fence or other structure, except play apparatus or seating specifically provided for such use, in or upon any park; or use any grass plot or land where signs have been posted forbidding such use.
3. No person shall allow or permit any dog to enter and be in any Town park except on a leash.
4. Notwithstanding Section 3.3, no person shall permit a dog to enter any public beach area owned and operated by the Town.
5. No person shall deposit or leave in or on any Town property any garbage, refuse, sewage, empty or broken bottles, tin cans, waste, or other debris or obnoxious material except in such receptacles, pits or other areas specifically provided for such purpose.
6. No person except for authorized personnel, including Town employees, shall enter or remain in a park outside the posted or designated hours. Where no sign is posted the park shall remain open from 8 a.m. and closed no later than 5 p.m. for the period of October to March. The hours of operation for the rest of the year shall be from 6.00 a.m. to 10.00 p.m. daily.
7. No person shall use any Park or any portion of a park for other than general public use without obtaining a Facility Use Permit issued by the Town.
8. No person shall be in possession of or consume liquor in any Park unless the expressed approval of Council is given or sanctioned.
9. No person shall be in possession of illicit drugs in any Park.
10. No person shall post, paint, or affix any advertisement, bill, poster, picture, matter or thing in or on any park or on any tree, post, pole, building, structure or thing in or on any park, or engage in the distribution or delivery of advertising material in any park or in any building, structure or thing in any park. This section shall not apply to signs erected or placed by the Superintendent for the purpose of conveying information on park or recreation matters or controlling activities within parks.
11. The Superintendent is hereby authorized to order the placing or erection of any applicable signage in Parks at such places as he may designate in order to regulate the use of a Park or any portion of a Park and in order to give effect to the provisions of this Bylaw, or any other applicable bylaw of the Town.



**4. PENALTY**

Except as otherwise provided in this Bylaw, 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 shall be liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00)

**5. DEFAULT**

Where, in this Bylaw, any matter or thing is required to be done by any person, in default of it being done by such person, such matter or thing shall be done at the expense of the person in default and the expense thereof may be recovered, with interest at the same rate of interest as taxes in arrears.

**6. GENERAL**

In the event that any portion of this Bylaw is declared ultra vires by a Court of competent jurisdiction, then such portion shall be deemed to be severed from the bylaw while the remainder of the bylaw shall continue to be in full force and effect.

**7. REPEAL**

That upon adoption of this bylaw, Bylaw No. 890-2010 being the "Town of Lake Cowichan Parks Regulation Bylaw No. 890-2010" and all amendments thereto is hereby repealed.

READ A FIRST TIME on the 30<sup>th</sup> of October, 2012.

READ A SECOND TIME on the 30<sup>th</sup> of October, 2012.

READ A THIRD TIME on the 30<sup>th</sup> of October, 2012.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the 27<sup>th</sup> day of November, 2012.

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Ross Forrest  
Mayor

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Joseph A. Fernandez  
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of "Town of Lake Cowichan Parks Regulation Bylaw No. 919-2012" as adopted on the 27<sup>th</sup> day of November, 2012.

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Corporate Officer

