

**BYLAW # 002:2017
of the TOWN OF IRRICANA
in the PROVINCE OF ALBERTA**

Being a bylaw of the Town of Irricana, in the Province of Alberta for the purpose of control and operation of public parks, recreation areas and campground.

WHEREAS Pursuant to Section 7 (a) of the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, Council may pass a bylaw for the safety, health and welfare of people and the protection of people and property, and

WHEREAS Pursuant to Section 7 (b) of the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, Council may pass a bylaw making provisions respecting people, activities and things in, on or near a public place that is open to the public, and

WHEREAS Pursuant to Section 7 (f) of the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, Council may pass a bylaw respecting services provided by or on behalf of the municipality, and

WHEREAS The Town of Irricana is desirous of operating public parks, recreation areas and campgrounds in an orderly and positive manner for all public's safety and enjoyment.

NOW THEREFORE The Council of the Town of Irricana in the Province of Alberta, duly assembled, hereby enacts as follows:

PART I TITLE

1.1. This bylaw may be cited as the "Parks Control Bylaw".

PART II DEFINITIONS

2.1. "Animal" means animal as defined in the "Animal Control Bylaw"

2.2. "Camping Accommodation Unit" means a tent, a trailer, a tent trailer, a motor home, a van or a truck camper or any other similar unit used by a person as shelter equipment while camping.

2.3. "Chief Administrative Officer" (CAO) means the Chief Administrative Officer appointed by Council in accordance with the Municipal Government Act;

2.4. "Highway" means highway defined in the Traffic Bylaw

2.5. "Individual Campsite" means a campsite in a Public Park designated as an individual campsite.

2.6. "Nuisance means drunkenness, use of obscene offensive or insulting language, fighting or disorderly conduct, or noise.

2.7. "Off Highway Vehicle" means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel:

- a. All terrain vehicles;
- b. Amphibious machines;
- c. Four-wheel drive vehicles;

- d. Low pressure tire vehicles;
 - e. Miniature motor vehicles;
 - f. Minibikes;
 - g. Motor cycles and related two wheel vehicles;
 - h. Snow vehicles; and
 - i. any other means of transportation that is propelled by any power other than muscular power or wind.
- 2.8. "Public Park" means any public area within the jurisdiction of the Town of Irricana that is used or intended to be used for recreational purposes such as picnics, camping, etc.
- 2.9. "Peace Officer" means any member of the RCMP Community Peace Office, or Bylaw Enforcement Officer.
- 2.10. "Quiet Time" means the period between 11:00 p.m. (23:00 hours) and 8:00 a.m. (08:00 hours).
- 2.11. "Vehicle" means vehicle as defined in the Traffic Bylaw.

PART III GENERAL

- 3.1 A person who enters a Public park shall comply with:
- a. this bylaw and each of the provisions herein;
 - b. any lawful orders and instructions made or issued pursuant to this bylaw; and
 - c. the instructions, prohibitions and directions prescribed by all lawfully designated erected signs and notices.
- 3.2 The CAO, at his/her discretion may:
- a. subject to the Traffic Safety Act and the Municipal Government Act, control and prohibit the movement of vehicular, pedestrian and other traffic by means of signs and notices designated and erected by them;
 - b. designate and erect other signs and notices governing and prohibiting activities that are provided for in the Municipal Government Act or this bylaw; and
 - c. from time to time and for such periods of time as is considered necessary for the protection of the Public Park, close such area or portion thereof to the use of the public.
- 3.3 A person using a Public Park shall keep the land and improvements in a condition satisfactory to the CAO.
- 3.4 A person vacating the Public Park shall restore the land to a clean and tidy condition.
- 3.5 If a nuisance allegedly exists in any Public Park the CAO or Peace Officer may order the person causing the nuisance to abate or discontinue the nuisance, and the person shall forthwith abate or discontinue the nuisance.

3.6 Every person shall comply with the CAO or Peace Officer.

PART IV PROHIBITIONS

- 4.1. No person shall commit or cause a Nuisance in a Public Park.
- 4.2. No person shall interfere with the right of others to the quiet and peaceful enjoyment of a Public Park.
- 4.3. No person who has been removed from a Public Park pursuant to Section 9 of the bylaw shall within the following 72 hour period, enter or attempt to re-enter that Public Park.
- 4.4. No person shall remove, injure, damage, deface, or tamper with anything in a Public Park including but not limited to trees, shrubs, hedges, flowers, lawn, buildings, plumbing, heat or light fixtures, walls, fences, gates, benches, picnic tables, playground equipment, exhibits, animals and any other improvements situated thereon or therein.
- 4.5. No person shall play or operate or permit to be played or operate any apparatus that emits sound at any time in a Public Park in such a manner as to cause unreasonable or excessive noise, having regard to the rights of others to the quiet and peaceful enjoyment of a Public Park.
- 4.6. No person shall play or operate or permit to be played or operated any apparatus that emits sound at any location in a Public Park during Quiet Time.
- 4.7. No person shall shout or otherwise make or cause to permit to be made any noise in a Public Park during Quiet Time, in such a manner that such noise can be easily heard by an individual or member of the public who is not on the individual campsite registered to such person or a member of the group.
- 4.8. While in a Public Park, no person shall discharge any pyrotechnics or related similar apparatus unless authorized by the CAO.
- 4.9. No person shall be allowed to conduct business in a Public Park without permission of the CAO.
- 4.10. No person shall build a structure, dig, or plant or install any object, whether permanent or temporary without permission from the CAO.
- 4.11. No person shall set up any form of temporary abode except in an area designated for such purpose.
- 4.12. No person shall have any alcoholic beverages in their possession for personal consumption or for sale or exposed for sale in any Public Park unless permission is granted by the CAO under the parameters of the Alberta Liquor Control Act or as defined in Section 8.18.

PART V ANIMALS

- 5.1 The Animal Control Bylaw applies to any person having the custody or control of an animal while in a Public Park.
- 5.2 No person having custody or control of an animal shall bring the animal into or allow the animal to enter or remain in or on any area in a Public Park that is:

- a. a public washroom, change house, concession, picnic shelter or other public building or structure, or
 - b. an area where signs are posted prohibiting animals.
- 5.3 The CAO or Peace Officer may refuse to admit to a Public Park, or require to be removed from a Public park any animal if he/she considers it is not under control , or if it may be a nuisance or a danger to the life, safety, health, property or comfort of any person in the Public Park.
- 5.4 No person shall cause, permit or allow any livestock owned by him/her or under his/her control to be in such areas within a Public Park where livestock is deemed prohibited in accordance with 5.2 b. of this bylaw and the owner shall be responsible for cleaning up or picking up the animal's bodily wastes, straw, hay or any other waste that may be left behind.

PART VI FIRES

- 6.1 No person shall set, light or maintain a fire in a Public Park except in a fireplace, pit, or other facility provided for that purpose.
- 6.2 No person shall leave a fire unattended or allow it to spread.
- 6.3 No person shall deposit or dispose of hot coals, ashes, embers or any other burning or smoldering material in a place other than a stove, fire pit or other place provided for that purpose.
- 6.4 A person who lights a fire shall extinguish all fires, hot coals and smoldering material before leaving them.

PART VII VEHICLES

- 7.1 The Traffic Bylaw applies within the boundaries of a Public Park.
- 7.2 The speed limit in any Public Park is 10 km/hour.
- 7.3 No person shall, within a Public Park operate or ride an off-highway vehicle or any other such specialized means of motor driven conveyance, including all terrain vehicles and dirt bikes, except:
- a. on a trail or in an area set aside, designated by Council or identified by regulatory signs, notices, or trail markers posted as a trail or area for the use of such conveyances.
 - b. to cross a highway in the manner permitted under the Traffic Safety Act.
 - c. by authorization of the CAO.
- 7.4 No person shall park or leave a motor vehicle, boat, trailer or camping accommodation unit, or permit a motor vehicle, boat, trailer or camping accommodation unit to be parked or left in a Public Park other than as permitted by Section 8.8 of this bylaw or in parking areas designated for that purpose.
- 7.5 The CAO and/or Peace Officer may prohibit the entry of a vehicle into any part of any Public Park.

7.6 Any motor vehicle, boat, trailer or camping accommodation unit, that is deemed abandoned as per the Traffic Safety Act will be fined and/or towed as in accordance with Schedule "A" of the Traffic Bylaw #03:2016.

PART VIII CAMPING

- 8.1 All persons entering a Public Park shall register when required to do so by a sign or notice at or near the entrance to the Public Park.
- 8.2 No camping shall be allowed without at least 1 person in the party being at least 18 years of age.
- 8.3 The CAO may provide for and cause to be designated areas within Public Parks for camping and day use purposes.
- 8.4 No person shall camp overnight in a Public park
- a. except in an area designated for that purpose, unless he/she is otherwise authorized by the CAO;
 - b. unless he has a valid permit under this bylaw to do so.
- 8.5 Permits for overnight camping shall be issued on a first come, first served basis and at a fee established by resolution of Council.
- 8.6 No person shall alter a camping permit.
- 8.7 No person shall transfer a camping permit to another person.
- 8.8 The holder of a camping permit shall keep it available for inspection at any time and shall produce it for inspection on the request of the CAO and/or Peace Officer.
- 8.9 Where a campground within a Public Park is developed for individual campsites, only the following vehicles and camping accommodation units are permitted to be kept in the campsite unless the CAO gives written permission to the contrary:
- a. 2 motor vehicles, whether or not they are a camping accommodation unit;
 - b. in addition to the motor vehicles referred to in clause i), 1 camping accommodation unit of any kind, including a camping accommodation unit that is a motor vehicle;
 - c. in addition to the motor vehicles referred to in clause i) and the accommodation unit referred to in clause ii), one (1) tent.
- 8.10 No person who is visiting a person camped in an individual campsite, shall park his vehicle on the campsite
- a. after 11:00 p.m. (2300 hours), or
 - b. in a manner or at a location that impedes traffic.
- 8.11 Checkout time from a permitted campsite shall be 11:00 a.m. (1100 hours) unless the CAO gives authorization to extend permission beyond this time.
- 8.12 Not more than 8 persons may occupy an individual campsite unless they are all members of a single family unit.

- 8.13 No person shall camp in areas designated as short term camping for more than 16 consecutive days in the same campsite without the written permission of the CAO.
- 8.14 For the purposes of section (8.13), a period of at least 24 hours must elapse after a person checks out of and vacates a campsite after the expiration of a 16-day period before he/she may again camp in that campsite.
- 8.15 Seasonal or monthly camping may be arranged at the discretion of the CAO on a first come, first served basis and only in designated areas for that purpose.
- 8.16 No washing of dishes is permitted in any washrooms or showers in a Public Park.
- 8.17 Group camping may be arranged at the discretion of the CAO on a first come, first served basis and only in designated areas for that purpose.
- 8.18 Consumption of liquor and alcoholic beverages must be consumed within the camping accommodation unit which is assigned to the individual campsite.

Part 9 ENFORCEMENT

- 9.1 In addition to any other penalty or remedy, the CAO or Peace Officer may cancel a camping permit without prior notice to the permittee if the permittee contravenes this bylaw and the permittee shall vacate the campsite within 1 hour from having been requested to do so.
- 9.2 On the expiry or cancellation of a camping permit, the permit holder shall ensure that the campsite is vacated and that all property belonging to him/her or persons in the camping group is removed.
- 9.3 For the purposes of administering this bylaw, the CAO or Peace Officer may:
- a. enter on and inspect any land, road, highway, structure or work in a Public Park;
 - b. order any person in a Public Park to cease or refrain from any action, omission or conduct that is or might reasonably be considered to be dangerous to life or property or detrimental to the use and enjoyment of the park, recreation area or campsite by other persons;
 - c. remove or cause to be removed from a Public Park any person:
 - i) making an unauthorized use of the park;
 - ii) failing to comply with any provisions of this bylaw; or
 - iii) creating a nuisance or disturbance or committing a trespass or any undesirable act.

PART X WASTE DISPOSAL

- 10.1 No person shall:
- a. Deposit solid waste matter in a park except in a receptacle or area provided for that purpose.
 - b. Deposit waste water, sewage or any liquid waste except in a receptacle provided for that purpose.
 - c. Bring commercial or residential waste matter into a park for disposal.

10.2 In areas in a park where waste disposal receptacles are not provided, waste matters shall be carried out of the area for disposal.

PART XI PENALTIES

11.1 A person who contravenes any provision of this bylaw either by doing something that is prohibitive or by failing to do something which he/she is required to do, or has failed to comply with an order or requirement of the CAO or Peace Officer is guilty of an offense and upon summary conviction, is liable in the case of a first offense to a fine of not less than \$100 and not more than \$1000.00 and/or eviction from the Public Park.

PART XII SEVERABILITY OF BYLAW PROVISIONS

12.1. Each and every separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provision of this Bylaw is declared invalid by any Court, all other provisions shall remain valid and enforceable.

PART XIII REPEAL

13.1 Bylaw 1:2012 is hereby repealed.

13.2 Bylaw 1-76 is hereby rescinded.

PART XIV EFFECTIVE DATE

AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.

READ A FIRST TIME this 23 day of January A.D. 2017.

READ A SECOND TIME this 23 day of January A.D. 2017.

UNANIMOUS CONSENT for THIRD READING given this 23 day of January A.D. 2017.

READ A THIRD TIME this 23 day of January A.D. 2017.

MAYOR DENNIS TRACZ

FABIAN JOSEPH
CHIEF ADMINISTRATIVE OFFICER