

# CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY

## BY-LAW NO. 2001-64

### Being a by-law to regulate the public parks in the Township of Bonnechere Valley.

**WHEREAS** Section 207(58) of the Municipal Act, R.S.O., 1990, C.45 as amended, provides that by-laws may be passed for regulating and operating parks and recreational areas within the municipality.

**WHEREAS** Section 207(42) of the Municipal Act, R.S.O., 1990, C.45 as amended, provides that a by-law may be passed prohibiting the use of vehicles in the parks in the Township of Bonnechere Valley.

### **NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF BONNECHERE VALEY HEREBY ENACTS AS FOLLOWS:**

#### 1. Title

- (1) This By-Law shall be known as the "Parks By-Law".

#### 2. Definitions

- (1) In this By-Law:

- (1) **"Corporation"** or **"Township"** means the Corporation of the Township of Bonnechere Valley.
- (2) **"Enforcement Officer"** means any police officer, provincial offences officer or employee of the municipality whose duties include the enforcement of this by-law.
- (3) **"Motor Vehicle"** includes a motor vehicle as defined under the Highway Traffic Act, R.S.O., 1990, as may be amended from time to time, and any snowmobile, gocart, bike, mini bike, all-terrain vehicle, or similar vehicle propelled or driven by internal combustion, bicycle, wagon, sleigh or other vehicle or conveyance of every description, whatever the mode of power, but excludes a wheelchair or similar device (powered or otherwise) used by an individual due to a disability, baby carriage, cart, child's wagon, child's stroller, child's sleigh or other conveyance of like nature.
- (4) **"Parks"** means any parcel or tract of land, including buildings, structures and facilities owned by the Municipality and set aside and hereby dedicated by Schedule "A" of this by-law for the purposes of a public park including waterfront land and any land, building, structure or facility under the ownership, lease or control of the Township and used by the public for park or recreational purposes.
- (5) **"Possess"** means a person has anything in possession when he/she has it in their personal possession or knowingly:
  - 1) has it in actual possession or custody of another person; or
  - 2) has it in any place, whether or not that place belongs to or is occupied by him/her, for the use or benefit of himself or of another person.
- (6) **"Post or Posted Area"** means the erection or presence of permissive, regulatory, restrictive, warning or prohibitive signs and "posted area"

means an area where the signs are erected.

**3. Conduct**

- (1) No person shall, while in any park:
  - (1) act in any riotous, violent or threatening way or use profane or abusive language;
  - (2) remain in or enter into any park or beach area between 11:00 p.m. and 6:00 a.m.;
  - (3) cast, throw, or in any way propel any object in such a manner as may injure or cause injury or damage to any person or property; or
  - (4) create a nuisance by loitering, accosting, frightening, annoying or otherwise disturbing other persons.

**5. Night Restrictions**

- (1) No person(s) except an employee of the Corporation or emergency personnel (e.g. police, ambulance etc.) shall enter into or remain in any park or municipal beach between 11:00 p.m. and 6:00 a.m.
- (2) Any person found in a park between the hours of 11:00p.m. and 6:00 a.m. who fails to account satisfactorily for his or her presence to a police officer; or who fails to obey an order of a police officer to leave the park may be apprehended as a trespasser.
- (3) Notwithstanding subsection (a), with respect to Centennial Park, persons will be allowed to remain beyond the 11:00 p.m. curfew if they are a spectator or a participant at a public function not ended, in which case the curfew will be extended until the lights are turned off.

**6. Damage**

- (1) No person, shall while in any park:
  - (1) climb any building, structure or equipment, unless it is equipment for climbing;
  - (2) break, damage, deface, move or remove the whole or part of any flowers, plant material, tree or other vegetation or any building structure, equipment or other property of the township;

**7. Litter/Waste**

- (1) No person shall, while in any park:
  - (1) litter, dump or dispose of tree trimmings, leaves, grass cuttings or any other garbage, except that which is generated through the normal use of the park and shall only deposit same in the receptacles provided for that purpose.
  - (2) During special events, event organizers shall provide recycling containers and deliver recycling materials to the Townships recycling centre.

**8. Bathing, Swimming and Sunbathing**

- (1) No person shall, in any park:

- (1) fail to abide by the posted rules and regulations of the park or beach;
- (2) utilize any municipal park or beach without adequate swimwear or adequate clothing.

9. **Use of Wash/Change Rooms**

- (1) No person shall enter any portion of any washroom, or changeroom in any park set apart for the opposite sex.
- (2) No person shall use any washroom or changeroom for any purpose other than its intended use.

10. **Alcohol Management**

- (1) No person shall, while in any park, possess, consume, serve or sell alcohol unless authorized by the Township and with the approval of the Liquor License board of Ontario.

11. **Campfires and Barbeques**

- (a) No person shall, while in the park:
  - (1) light, build or stoke an open fire or bonfire;
  - (2) leave an area used for a barbeque without ensuring that such coals have been extinguished.

12. **Fireworks**

- (2) While in a park, no person shall:
  - (1) possess, ignite, discharge or set off any firecrackers or rockets unless approved by the Township Council;
  - (2) display fireworks unless approved by the Council and shall comply with the safety standards regulations governing the ignition of fireworks.

13. **Vehicles - Parking**

- (1) Disabled Parking - No person shall park or leave a vehicle in a designated disabled parking area unless the vehicle has the required permit from the Ministry of Transportation of Ontario and the appropriate permit is displayed on or in the vehicle.
- (2) General Public Parking- No person shall park or leave a vehicle in a park except in a designated area for parking.

14. **Vehicles -Operation**

- (a) No person shall ride, drive, park or be in possession or control of a motorized vehicle in any park except in a designated area.

15. **Vehicles - Removal**

- (1) A police officer or provincial offence officer upon discovery of any vehicle parked or standing in contravention of this by-law may cause it to be moved or taken to and placed in storage and all costs and charges for removing, care and storage

thereof, if any or lien upon the vehicle may be enforced in the manner provided by the Repair and Storage Liens or Mechanics/Garage Storage Liens Act, R.S.O. 1990. as may be amended from time to time or any successor act thereto.

**16. Animals**

- (2) While in any park, no person as owner or person having control of any dog or cat shall:
  - (1) allow it to run at large;
  - (2) permit any dog or cat or to enter any municipal beach/waterfront area or swimming area, excluding a guide dog.
- (3) Owners or persons having control of any dog, cat or domesticated wildlife shall:
  - (1) ensure that it is on a leash or chain not exceeding 2 metres in length;
  - (2) pick up and remove forthwith excrement left by the dog, cat or domesticated wildlife and dispose of it in a receptacle for litter or in some other suitable container, excluding excrement from guide dogs.

**17. Dangerous Animals**

- (1) No person being the owner or having control of any animal shall bring into or permit an animal to enter any park if it may or does constitute a danger to other park users, other animals, is unpredictable, or is reasonably likely to frighten other park users.

**18. Boating/Personal Watercraft**

- (1) No person shall, operate, drive, ride, park or possess any watercraft in any beach area unless authorized by permit to do so.

**19. Posting of Signs**

- (1) The Municipality may post signs of permission, regulation, restriction, warning or prohibition with respect to uses of or activities in any park in accordance with the provisions hereof.

**20. Interfering with Signs**

- (1) No person shall deface, injure, uproot or remove any sign erected by the Corporation in a park.
- (2) No person shall cover or obstruct any sign erected by the Corporation in the Park.

**21. Enforcement**

- (a) Any police officer, municipal law enforcement officer or employee of the municipality whose duties include the enforcement of this by-law is authorized to request any person believed by such officer or employee to be contravening or who has contravened any provision of this by-law:
  - (1) to desist from the activity constituting or contributing to such contravention;
  - (2) to remove from the park any animal, or thing owned by or in the control of

such person which the officer or employee believes is or was involved in such contravention; or

(3) to provide identification of themselves showing their correct name and address.

(4) to leave the park.

(3) Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to pay a penalty recoverable under the provisions of the Provincial Offences Act.

(4) Any person who contravenes any of the provisions of this by-law by being in the parks after or before curfew is subject to the Trespass to Property Act being enforced.

22. **Effective Date**

(1) This by-law shall come into force and effect on the date of passing.

**READ A FIRST AND SECOND TIME THIS 20<sup>th</sup> DAY OF AUGUST, 2001.**

**READ A THIRD TIME AND PASSED THIS 20<sup>th</sup> DAY OF AUGUST, 2001.**

Reeve

Chief Administrative Officer

**THIS IS SCHEDULE “A” TO BY-LAW NO. 2001-64 OF THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY.**

1. Centennial Park, 149 John St., Eganville, On
2. Eganville Tourist Booth and Parking Lot Property, 46 Bonnechere St., W. Eganville, On
3. Rotary Beach, 178B Jane St., Eganville, On
4. Legion Ball and Soccer Fields, 8B Foran St., Eganville, On
5. Opeongo Ballfield, 4716 Opeongo Rd, (former Twp. of Sebastopol
6. Foymount Ballfield and Park, 34 Madawaska Cres., Foymount, On
7. Lake Clear Beach, 134 Buelow Road
8. South Algona Boat Launch, 400 Bonnechere Lodge Road
9. Cormac Park, 3779 Foymount Rd., Cormac, On