

BYLAW NO. 2253

Bylaw No. 2253 of the Municipal District of Provost No. 52 in the Province of Alberta.

Bylaw No. 2253 of the M.D. of Provost No. 52 in the Province of Alberta to provide for the control and operation of parks and campgrounds under the jurisdiction of the M.D. of Provost No. 52.

Whereas Section 213(1) of the Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta, 2000 as amended, grants authority to Council to pass bylaws respecting all matters pertaining to the control and operation of parks and campgrounds; and

Whereas Council of the M.D. of Provost No. 52 has established parks and campgrounds; and

Whereas Council of the M.D. of Provost wishes to establish rules and regulations for the control and operation of its parks and campgrounds.

Now therefore, Council of the M.D. of Provost No. 52, in the Province of Alberta, duly assembled, enacts as follows:

1. That this bylaw may be referred to as the "Parks Bylaw".
2. That in this bylaw:
 - a) "Animal" means a domestic animal and includes an animal that is wild by nature but has been domesticated;
 - b) "Camping Accommodation Unit" means:
 - i) a tent
 - ii) a trailer
 - iii) a tent trailer
 - iv) a motor home
 - v) a van
 - vi) a truck camperused by a person as shelter equipment while camping
 - c) "Council" means the Council of the M.D. of Provost No. 52.
 - d) "Highway" means a highway as defined in the Traffic Safety Act;
 - e) "Individual Campsite" means a campsite in a park or campground designated as an individual campsite under this bylaw;
 - f) "Day Use Area" means those areas that are not defined as an individual campsite;
 - g) "Motor Vehicle" means a motor vehicle as defined under the Traffic Safety Act;
 - h) "Off Highway Vehicle" means an off highway vehicle as defined under the Traffic Safety Act";
 - i) "Park" means land designated as park, campground or recreation area by the Council;
 - j) "Park Officer" means a person appointed as a Park Warden or any other person necessary for the administration of this bylaw.
 - k) "Lake Association" means Capt. Ayre Lake Improvement Association at Capt. Ayre Lake and Shorncliffe Lake Improvement Association at Shorncliffe Lake.

3. That Council or its designate may appoint Park Wardens and any other person, hereinafter referred to as Park Officers, necessary for the administration of this bylaw.
4. That those Peace Officers appointed under the Peace Officer Act, R.S.A. 2000, Wildlife Officers appointed under the Wildlife Act and the Royal Canadian Mounted Police have the same powers that are conferred on a Park Officer under this bylaw.
5. That for the purpose of administering this bylaw, a Park Officer may:
 - a) Enter on and inspect any land, road structure or work in a park;
 - b) Order the repair, alteration, improvement, evacuation or removal of or addition to any unauthorized structure or work in a park, including boats not on trailers;
 - c) Order any person in a park to cease or refrain from any action, omission or conduct that in the opinion of the Park Officer is dangerous to life or property or detrimental to the use and enjoyment of the park by other persons;
 - d) Require any person in a park to inform a Park Officer of
 - i) the name, address and
 - ii) any fact or intention relating to the use by the person of the Park;
 - e) Remove from a Park
 - i) any person making unauthorized use of the park;
 - ii) any person failing to comply with the provisions of this bylaw, or
 - iii) any person creating a nuisance or disturbance or committing a trespass or any undesirable act.
 - f) refuse to admit entry of any person to a park.
- 5.1
 - a) No person shall fail or refuse to comply with a lawful order or request of a Park Officer.
 - b) No person shall obstruct or hinder a Park Officer in the execution of his duties.
 - c) A Park Officer may cancel a permit if the holder of the permit contravenes this Bylaw and the holder of the permit and other persons associated with him shall vacate the park within thirty minutes of being notified of such.
6. That a Park Officer in the exercise and discharge of his powers and duties is a person employed for the preservation and maintenance of the public peace.
7. A person who contravenes this bylaw is guilty of an offence and is liable to a fine of not more than \$2000.00 and no less than \$50.00.
8. If a motor vehicle, off-highway vehicle, boat or trailer is in contravention of this bylaw, the owner of that motor vehicle, off-highway vehicle, boat or trailer is guilty of an offence.
9. A person who enters a park shall comply with:
 - a) any lawful order and instructions made or issued pursuant to this bylaw and
 - b) the instructions, prohibitions and directions prescribed by all lawfully designated and erected signs and notices.
- 10.(1) The Council or its designate may:
 - a) subject to the Traffic Safety Act, control and prohibit the movement of vehicular,

pedestrian and other traffic by means of sign and notices designated and erected by it;

b) designate and erect other signs and notices governing and prohibiting activities that are provided for in this bylaw.

(2) The existence of a sign or notice referred to in Section (1) is prima facie proof that it was properly designated and erected under this bylaw.

11. (1) A person using the park shall keep the land and improvements in a condition satisfactory to a Park Officer.

(2) A person vacating the Park shall restore the land as nearly possible to a clean and tidy condition.

12. No person shall interfere with the rights of others to the quiet and peaceful enjoyment of a Park.

13. No person who has been removed from a Park pursuant to Section 5 of this bylaw shall, within a 72-Hour period, enter or attempt to enter that Park.

14. No person shall deface, injure or destroy any object in a Park, whether created by natural means or otherwise.

15. No person shall display or post any sign or advertisements in the park other than sign or advertisements approved by Council or its designate. No person shall remove, deface, damage or destroy any sign board, sign or notice posted and placed in the Park under the authority of this bylaw or any other bylaw or Act.

16. No person shall light or maintain a fire in a park except in a fireplace, pit or other facility designed for that purpose.

17. No person shall leave a fire unattended or allow a fire to spread.

18. The Council or its designate may issue individual campsite permits under this bylaw.

19. Permits shall be issued on a first come first serve basis, except in that portion of the park where a campsite reservation system is in effect.

a) A camping permit shall be obtained within one half hour upon arrival at a campsite.

20. No person shall camp overnight in a park;

a) except in an area designated for that purpose, unless he is otherwise authorized by the Park Officer, and

b) unless he has a valid permit under this bylaw to do so.

21. a) No person shall alter a camping permit.

b) No person shall transfer a camping permit to another person.

c) The owner of a camping permit shall keep it available for inspection at any time and shall produce it for inspection on the request of the Park Officer.

21.5 (1) Where a campground within a park is developed in individual campsites, only the following vehicles and camping accommodation units are permitted to be kept in the campsite unless a Park Officer gives permission to the contrary:

a) one motor vehicle:

b) in addition to the motor vehicle referred to in clause (a), one camping accommodation unit of any kind, including a camping accommodation unit that is a motor vehicle;

c) in addition to the motor vehicle referred to in clause (b) one tent.

(2) No person in whose name an individual campsite is registered shall bring into or permit to remain on the campsite more vehicles or camping accommodation units that are permitted in clause(1).

(3) No person who is visiting shall remain in the campground or day use area after 11:00 PM.

22. Not more than 6 persons shall occupy an individual campsite unless they are all members of a single-family unit.

23. No person shall occupy an individual campsite for more than 14 consecutive days. If staying longer that person shall move to another campsite unless authorization has been given by the Park Officer.

24. No person in the Park shall:

a) remove, destroy, mutilate, deface, or climb upon any building, structure, fixture or chattel, and without restricting the foregoing, any monument, vase, fountain, wall, fence, wire, netting, vehicle, tools, gate, seat, bench, exhibit, cage or ornament therein: plug, tamper with, or in any way damage the plumbing, electrical, heating, or other fixtures.

25. No person shall carry on a business in the Park unless he has received permission from the Council for that purpose.

26. No person shall be in possession of a glass beverage container unless that container is within a camping accommodation unit or a cabin.

27. (1) No unauthorized person shall operate an Off-Highway vehicle in the Park.

(2) The Council may allow the operation of Off-Highway vehicles in the Park for the purposes of Maintenance, or other Special events as decided by the Council or its designate.

28. No person shall urinate or defecate in a public place or in plain view of a public place other than in a washroom designated for use by the public.

29. No person shall participate in a fight or similar physical confrontation in any public place or any place to which the public has access with the exception of an organized sporting event.

30. No person shall remove firewood from a park.

31. No person shall operate a motor vehicle within a park except:

a) on a highway; or

b) with the written authorization from the Council or its designate in the case of an area that is not a highway; or

c) by a Park Officer in the lawful discharge of his or her duties.

32. Where a Peace Officer believes that a person has contravened any provision of this bylaw, he may serve upon such a person a Violation Ticket in accordance with Part 2 of the Provincial Offences Procedure Act, R.S.A. 2000 Chapter P-34.

a) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "A" of this Bylaw in respect of that provision.

33. a) Where any person contravenes the same section of this Bylaw twice within one TWELVE(12) month period, the specified penalty payable in respect of the second contravention shall double in the amount as shown in accordance with Schedule "A".

34. A notice or form commonly called a Bylaw Tag having printed wording approved by the M.D. of Provost, may be issued by a Peace Officer to any person alleged to have contravened any provision of this Bylaw.

a) The penalty in lieu of prosecution applicable to any contravention of this Bylaw, to be used when issuing a Bylaw Tag shall be the same as the specified penalty shown in Schedule "A".

b) A person who has been served with a Bylaw Tag in relation to an alleged contravention of this Bylaw, and who has paid the penalty provided within the time allowed shall not be liable to prosecution for the subject offence.

c) A Bylaw tag shall be deemed to be sufficiently served if served personally on the accused; or if mailed by regular mail to the address of the owner or person accused.

35. Schedule "A" to this Bylaw may be amended, from time to time, by resolution of Council and any such amendment shall form part of this Bylaw.

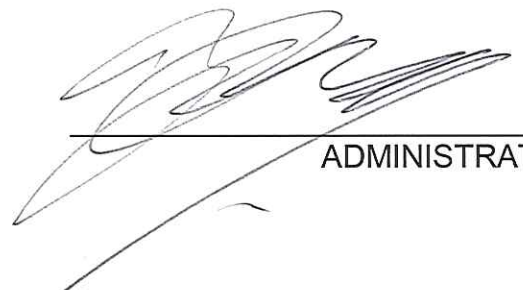
THIS BYLAW WILL RESCIND BYLAW NO. 2135.

Read a first time this 26th Day of November A.D., 2015.

Read a second time this 26th Day of November A.D., 2015.

Read a third time and finally passed this 26th Day of November A.D., 2015.


REEVE


ADMINISTRATOR

“SCHEDULE A”

Whereas under the provision of Section 44 of the Summary Conviction Act, being Chapter S-26.1 of the Revised Statutes of Alberta, 2000 as amended, and under the provisions of Section 110 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, as amended, the Council of a municipality may, by bylaw provide to the payment of traffic tickets or summons out of court.

A notice or form (commonly called a traffic tag or a violation ticket) may be issued to any person charged with a breach of any of the provisions of this bylaw and the heretomentioned Acts shall apply in regards to the payment.

Section 5.1 (a) Fail/Refuse to comply with a lawful order/request	\$250.00
Section 5.1 (b) Obstruct or hinder a Park Officer	\$250.00
Section 9 (b) Fail to obey lawfully erected sign or notice	\$ 50.00
Section 11 (2) Fail to restore campsite to clean and tidy condition	\$ 75.00
Section 12 Interfere with others peaceful and quiet enjoyment of a Park	\$150.00
Section 13 Enter or attempt to enter the Park after being evicted	\$250.00
Section 14 Deface, Injure or destroy any object in the Park	\$250.00
Section 15 (1) Display or post any unauthorized sign or notice	\$ 50.00
Section 15 (2) Remove, deface or damage sign	\$150.00
Section 16 Light or maintain a fire in undesignated area	\$100.00
Section 17 Leave fire unattended or allow to spread	\$100.00
Section 19(a) Fail to obtain camping permit within ½ hour upon arrival	\$ 75.00
Section 20 Camping where prohibited	\$ 50.00
Section 21 (1) & (2) Alter or Transfer a camping permit	\$ 50.00
Section 22 (3) Visitor remain in campground or Dayuse area after 11:00PM	\$100.00
Section 24 Vandalism of M.D. Property	\$250.00
Section 25 Carry on unauthorized business in Park	\$ 50.00
Section 26 Possession of Glass Beverage Container	\$100.00
Section 27(1) No person shall operate an Off-Highway vehicle in the Park	\$ 50.00
Section 28 urinate or defecate in a public place	\$250.00
Section 29 Participate in a fight or other physical confrontation	\$250.00
Section 30 Remove firewood from a park	\$250.00
Section 31(a) Operate a motor vehicle off highway	\$100.00