

BYLAW NO. 2319

Bylaw No. 2319 of the Municipal District 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 Municipal District of Provost No. 52.

WHEREAS Section 7 & 8 of the *Municipal Government Act* R.S.A. 2000, c. M-26, as amended, grants authority to Council to pass bylaws respecting all matters pertaining to the control and operation of parks and campgrounds;

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

AND WHEREAS the Council of the M.D. of Provost No. 52 wishes to establish rules and regulations for the control and operation of its parks and campgrounds.

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

1. TITLE

- 1.1 This Bylaw may be referred to as the "Parks Bylaw".

2. INTERPRETATION

- 2.1 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 camper used by a person as shelter while camping;
 - c. "Council" means the Council of the Municipal District 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 a park, campground, or recreation area by 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" mean Capt. Ayre Lake Improvement Association at Capt. Ayre Lake and Shorncliffe Lake Improvement Association at Shorncliffe Lake.

3. GENERAL

- 3.1 A person using the Park shall keep the land and improvements in a condition satisfactory to a Park Officer.
- 3.2 A person vacating the Park shall restore the land to a clean and tidy condition as reasonably possible.

4. SCOPE AND AUTHORITY

- 4.1 Council or its designate may appoint Park Officers as necessary for the administration of this Bylaw.
- 4.2 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 signs 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.
- 4.3 The existence of a sign or notice referred to in Section 4.2 is prima facie proof that it was properly designated and erected under this Bylaw.
- 4.4 Peace Officers appointed under the *Peace Officer Act*, 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. For the purpose of administering this Bylaw, a Park Officer may:
 - a. Enter 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;
 - ii. address; and
 - iii. 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, committing a trespass, or any other undesirable act.
- f. Refuse to admit entry of any person to a Park.

4.6 A Park Officer, in the exercise and discharge of their powers and duties, is a person employed for the preservation and maintenance of public peace.

5. PERMITS

- 5.1** A Park Officer may cancel a permit if the holder of the permit contravenes this Bylaw and the holder of the permit and their associates shall vacate the Park within thirty (30) minutes of being notified of such.
- 5.2** The Council or its designate may issue individual campsite permits under this Bylaw.
- 5.3** Permits shall be issued on a first-come, first-served basis, except in that portion of the Park where a campsite reservation system is in effect.
- 5.4** A camping permit shall be obtained within one-half hour upon arrival at a campsite.
- 5.5** No person shall alter a camping permit.
- 5.6** No person shall transfer a camping permit to another person.
- 5.7** The owner of a camping permit shall keep it available for inspection at any time and shall produce it for inspection at the request of the Park Officer.
- 5.8** 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.
- 5.9** 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 Section 5.8.

6. ACTIVITIES PROHIBITED UNLESS AUTHORIZED BY A PERMIT

- 6.1** No person shall camp overnight in a Park;



- a. except in an area designated for that purpose, unless they are otherwise authorized by a Park Officer, and
- b. unless they have a valid permit under this Bylaw to do so.

7. MOTORIZED VEHICLES, BOATS, AND/OR TRAILERS

7.1 No person shall operate a motor vehicle within a Park except:

- a. on a highway;
- 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.

7.2 The use of Off-Highway Vehicles and Golf Carts is authorized within the Park under the following conditions:

- a. The total number of passengers in/on the vehicle does not exceed the total number of seats available;
- b. Operators abide by the posted speed limit of the Park; and
- c. Off-Highway Vehicles and Golf Carts do not, in the opinion of the Park Warden or Peace Officer, unduly disturb the quiet enjoyment of the Park or otherwise cause a nuisance.

7.3 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.

8. PROHIBITED ACTIVITIES

8.1 No person shall fail or refuse to comply with a lawful order or request of a Park Officer.

8.2 No person shall obstruct or hinder a Park Officer in the execution of their duties.

8.3 A person who enters a Park shall comply with:

- a. Any lawful order and instruction made or issued pursuant to this Bylaw; and
- b. The instructions, prohibitions, and directions prescribed by all lawfully designated and erected signs and notices.

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

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

8.6 No person who has been removed from a Park pursuant to Section 4.5 of this Bylaw shall, within a 72-hour period, enter or attempt to enter that Park.

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

- 8.8** No person shall display or post any sign or advertisements in the Park other than signs or advertisements approved by Council or its designate.
- 8.9** 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.
- 8.10** No person shall light or maintain a fire in a Park except in a fireplace, pit, or other facility designed for that purpose.
- 8.11** No person shall leave a fire unattended or allow a fire to spread.
- 8.12** No person who is visiting shall remain in the campground or day-use area after 11:00 p.m.
- 8.13** Not more than 6 persons shall occupy an individual campsite unless they are all members of a single-family unit.
- 8.14** No person in the Park shall 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.
- 8.15** No person shall carry on a business in the Park unless they have received permission from the Council for that purpose.
- 8.16** No person shall be in possession of a glass beverage container unless that container is within a camping accommodation unit or a cabin.
- 8.17** No person shall consume/use alcohol or cannabis in a public place in the Park unless otherwise specifically allowed by the Council or its designate.
- 8.18** Consumption of alcohol and/or cannabis shall only be permitted in campsites or other approved locations as may be specifically approved by Council or its designate.
- 8.19** 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.
- 8.20** 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.
- 8.21** No person shall remove firewood from a Park.

9. ENFORCEMENT AND PENALTIES

- 9.1** A person who contravenes this Bylaw is guilty of an offence and is liable to a fine of not more than \$2,000.00 and no less than \$50.00.
- 9.2** Where a Peace Officer believes that a person has contravened any provision of this Bylaw, they 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.



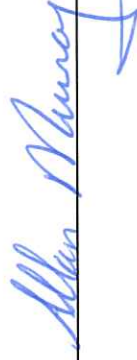
- a. The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "A" of this Bylaw in respect of that provision.
- b. Where any person contravenes the same section of this Bylaw twice within one twelve (12) month period, the specified penalty payable in respect of the second contravention shall double in the amount as shown in accordance with Schedule "A".
- 9.3** 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.
- 9.4** 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. 2288.

Read a first time this 11 day of May A.D., 2023

Read a second time this 11 day of May A.D., 2023.

Read a third time and finally passed this 11 day of May A.D., 2023



REEVE



ADMINISTRATOR

“SCHEDULE A”

Whereas under the provision of Section 44 of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended, and under the provisions of Section 7 & 8 of the *Municipal Government Act*, RSA 2000, c. M-26, 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 Bylaw 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 hereto-mentioned Acts shall apply in regards to the payment.

SECTION	OFFENCE	PENALTY
Section 3.1	Fail to keep land and improvements in satisfactory condition	\$250.00
Section 3.2	Fail to restore campsite to clean and tidy condition	\$250.00
Section 5.4	Fail to obtain camping permit within ½ hour upon arrival	\$250.00
Section 5.5 & 5.6	Alter or transfer a camping permit	\$150.00
Section 6.1	Camping where prohibited	\$250.00
Section 7.1	Operate a motor vehicle off highway	\$250.00
Section 7.2	Unauthorized use of Off-Highway Vehicles and Golf Carts	\$250.00
Section 8.1	Fail/Refuse to comply with a lawful order/request	\$250.00
Section 8.3(b)	Fail to obey lawfully erected sign or notice	\$150.00
Section 8.5	Interfere with others peaceful and quiet enjoyment of a Park	\$500.00
Section 8.6	Enter or attempt to enter the Park after being evicted	\$500.00
Section 8.7	Deface, injure or destroy any object in the Park.	\$500.00
Section 8.8	Display or post any unauthorized sign or notice	\$150.00
Section 8.9	Remove, deface or damage sign	\$250.00
Section 8.10	Light or maintain a fire in undesignated area	\$250.00
Section 8.11	Leave fire unattended or allow to spread	\$250.00
Section 8.12	Visitor remain in campground or day-use area after 11:00PM	\$250.00
Section 8.14	Vandalism of Park property	\$500.00
Section 8.15	Carry on unauthorized business in Park	\$250.00
Section 8.16	Possession of Glass Beverage Container	\$250.00
Section 8.17	Consumption of Alcohol/Cannabis in Public Space	\$250.00
Section 8.19	Urinate or defecate in a public place	\$250.00
Section 8.2	Obstruct or hinder a Park Officer	\$250.00
Section 8.20	Participate in a fight or other physical confrontation	\$250.00
Section 8.21	Remove firewood from a Park	\$500.00