

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BY-LAW NO. 101

Being a By-law to govern the management of Regional Parks and any real or personal property within the Regional District of Central Okanagan and held by the said Regional District for recreation and enjoyment of the public.

The Board of Directors of the Regional District of Central Okanagan, in open meeting assembled, hereby enacts as follows:-

1. DEFINITIONS

In the construction and interpretation of this By-law the following words and terms shall have the meaning hereby assigned to them unless inconsistent

to the context hereof;

- (a) "Regional District" shall mean the Regional District of Central Okanagan as defined in the Letters Patent and Amendments thereto.
- (b) "Board" shall mean the Regional Board of the Regional District of Central Okanagan.
- (c) "Regional Park" shall mean land acquired and dedicated as a park in accordance with the Regional Parks Act, 1965 Chap. 43.
- (d) "Driveway" shall mean and include any way or thoroughfare set apart and improved for the use of pedestrians, vehicular or animal traffic, within any park and shall include Roadway, Path, Trail, Underpass, Street, Road, Lane, Bridge, Viaduct, or Overpass.
- (e) "Beach" shall mean any park land adjacent to a body of water designated for public swimming, extending 100 ft. back from an established high water mark.
- "1. (f) "Park" shall mean any Regional Park and Community Park and shall include without restricting the generality of the foregoing within such park all playgrounds, squares, greens, driveways, roadways, paths, beaches, buildings, but shall not include any highway passing through such park that has been dedicated as highway by plan of subdivision or that has been laid out, constructed and maintained by the Department of Highways of the Province of British Columbia."

- (g) "Person" shall mean and include natural persons, associations, bodies corporate, bodies politic, and partnership, whether acting by themselves or by a servant, agent or employee, and the heirs, executors, administrators, successors and assigns, or other legal representative of such person to whom the context can apply according to law. The singular shall, when necessary, be held to mean and include the plural; the masculine; the feminine; and the converse thereof.
- (h) "Litter" shall mean any garbage, cans, bottles, papers, ashes, refuse, cuttings, trash or rubbish.
- (i) "Vehicle" shall mean and include all conveyances for the carriage or transport of persons, passengers, goods or materials, whether drawn by animals or propelled or pulled by any mechanical or muscular device or other ^{made of} (motive) power whatsoever, and shall include trailers, bicycles and tricycles.
- (j) "Regional Park Superintendent" shall mean the person appointed as Parks Superintendent by the Board.
- (k) "Being at Large" means in the case of animals or fowl, not being under the direct and constant control of any person.

2. VEHICLES & TRAFFIC

- "(a) No persons shall grease, wash, clean or repair any vehicle in a park except where repairs are necessitated because of the breakdown of a vehicle in or adjacent to a park."
- "(b) No person shall in any park, park a vehicle or allow a vehicle to stand or remain parked during the hours that the park is closed pursuant to this By-Law."
- "(c) No person shall ride or drive any horse or other animal or drive or propel or permit to be driven or propelled any vehicle within a park except upon a driveway made and provided for such purpose."
- "(d) No person shall, in any park, drive any animal or vehicle upon any driveway that is designated for the use of pedestrians by a sign posted pursuant to this By-law, provided, however, invalids' chairs and baby carriages shall be allowed on such posted paths but the same shall not be permitted to interfere with the free use of such paths by pedestrians."

"(e) No person shall, except as herein provided, in any park that is closed pursuant to the provisions of this By-law:

(i) drive a vehicle in

(ii) enter or remain in

such park during the hours that the park is closed,"

"(f) No person shall, in a park:

(i) ride or drive any horse or other animal or drive or propel any vehicle upon any driveway at a rate of speed in excess of the speed posted on a sign limiting the rate of speed for such driveway;

(ii) ride or drive any horse or other animal or drive or propel any vehicle in a manner that is unsafe or a nuisance or danger to other persons or animals or property within the park;

(iii) fail to bring his horse, animal or vehicle to a stop upon the direction of a Peace Officer or any person authorized by the Regional District to supervise traffic within the park;

(iv) fail to stop a vehicle or animal under control of such person whenever any horse or other animal shows signs of fright or getting out of control as a result of the movement of such animal or vehicle;

(v) ride or drive any horse or other animal or drive or propel any vehicle in any direction on any driveway contrary to a sign erected pursuant to the provisions of this By-law."

3. LITTERING

No person shall throw or deposit any litter or offensive matter into or upon any park except in the receptacles provided for such purposes.

4. CONCESSIONS

(a) No person shall sell or expose for sale any refreshments or any article or merchandise or thing or conduct any business in any park unless he shall first have obtained a valid permit in writing from the Board pursuant to this By-law.

- (b) No person shall post up, paint or distribute any advertisement or any handbill of any kind whatsoever in any park.

5. HOURS OF USE

"All parks in the Regional District shall be closed to the use of the public and to all vehicles from eleven o'clock p.m. until six o'clock a.m. of each and every day."

6. ORGANIZED SPORTS

- "(a) No person shall play at any game whatsoever in or on any portion of any park except upon or in such portions thereof as may be specifically allotted or designated for such purpose by signs posted pursuant to this By-law."
- (b) No persons shall play any games in any park contrary to any rules and regulations posted up to regulate such game or the use of premises pursuant to the provisions of this By-law.
- (c) No tournament or organized sports, or series of games shall be played in any park or on any court, green, grounds or lawn by any person without first obtaining a permit for such event pursuant to the terms of this By-law."

7. VANDALISM

- "(a) No person shall willfully, maliciously or carelessly damage or destroy any property in a park.
- (b) No person shall in any way interfere with or obstruct persons from enjoying the free use of any facility in a park that such persons are lawfully entitled to enjoy.
- (c) No persons shall cut, break, pull up, injure or in any way destroy or damage in whole or in part any tree, shrub, plant turf, flower, building, sprinkler, works, pipe, structure, fence, sign, seat, bench, or ornament of any kind, or injure, deface or destroy any notices, signs, rules or regulations posted or affixed to anything pursuant to the provisions of this By-law.
- (d) No person shall molest, disturb, frighten, injure, catch, trap, snare any bird or animal in any park except domestic animals unlawfully at large in such park.

- (e) No person shall, in any park, climb, walk or sit upon any wall, fence or other structure or walk or cross over any land where signs have been posted forbidding the same."

8. DOMESTIC ANIMALS

- "(a) No person being the owner, possessor or harbourer of any animal or fowl shall permit such animal or fowl to be at large in any park."

9. SWIMMING AND BEACH AREAS

- "(a) No person suffering from any contagious or communicable disease shall enter or bathe in any water in a park.
- (b) No person shall disobey the command or order of any person having, through the authority of the Board, the superintendence, management or control of any bathing beach or pool in any park.
- (c) No person shall permit any animal to enter upon any beach or to swim in or foul any water in areas designated for bathing and swimming purposes in any park.
- (d) No person shall:
- (i) operate any boat, motorboat, sea sled or other such contrivance in the immediate vicinity of any bathing beach in such a way that it will endanger, disturb or otherwise interfere with the free use of the water for bathing and swimming purposes,
 - (ii) interfere with, obstruct, impede, hinder or prevent the discharge of duties of any lifeguard or other personnel engaged in the superintending, controlling, instructing or overseeing of swimming, bathing or aquatic sports or any game in any bathing beach in any park over which the Board has given such person jurisdiction."

10. FIRES - WEAPONS

- "(a) No person shall, in any park:
- (i) carry or discharge any firearms, including air guns, air rifles, air pistols and spring guns, or any weapon of any description;
 - (ii) fire or explode any combustible or other explosive material;
 - (iii) make a fire, except within areas set aside for this purpose and designated as such by signs posted pursuant to this By-law;
 - (iv) throw or place upon the ground any lighted match, cigar, cigarette, or other burning substance."

11. PUBLIC GATHERINGS such vehicle, structure or thing has not claimed the same

"(a) No person shall conduct any procession, march, drill, performance, ceremony, concert, gathering or meeting in any park without first obtaining a written permit from the Regional Parks Superintendent for such purpose."

12. BUILDING CONSTRUCTION

"No person shall, in any park, without first obtaining a valid permit for such purpose from the Board, construct, build or cause to be erected, constructed or built any tent, building, shelter, pavilion or other structure."

13. OBSTRUCTIONS

"(a) No person shall, in any park:

- (i) use, stop on, occupy or travel along or upon any roadway in such manner as to obstruct or interfere with any person lawfully using the same;
- (ii) park a vehicle in any area except that designated for such purpose on signs erected pursuant to this By-law."

14. REMOVAL OF VEHICLES & OBSTRUCTIONS

"(a) The Regional Park Superintendent or any person authorized by him may remove or cause to be removed from any park:

- (i) any obstruction placed therein contrary to the provisions of this By-law;
- (ii) any thing erected therein contrary to the provisions of this By-law;
- (iii) any vehicle parked or left standing therein contrary to the provisions of this By-law;
- (iv) any sign placed therein contrary to the provisions of this By-law.

Such removal shall be at the expense of the person who caused such structure, vehicle, sign or other thing to be within the park contrary to the provisions of this By-law."

"(b) Any vehicle, structure or other thing removed pursuant to the provisions of this section may be moved to a place of safe keeping and the cost of storage at such place shall be paid by the person claiming ownership of such object in addition to the cost of removal. If the

owner of such vehicle, structure or thing has not claimed the same within thirty (30) days of its removal from the park it may be disposed of by sale or destruction as directed by the Regional Board.

If a vehicle is removed and the vehicle bears a current licence plate the registered owner shall be given notice by registered mail of the location of such vehicle at the address of such registered owner as shown on the records of the Motor Vehicles Branch and if the registered owner fails to claim the vehicle within (30) days and pay the cost of removal and storage then the vehicle may be sold by public auction and any price obtained for such vehicle shall be applied first to the cost of removal and storage and secondly the balance, if any, shall be paid to the registered owner as shown on the records of the Motor Vehicle Branch."

15. SIGNS

- "(a) The Board may cause signs to be erected in parks that:
- (i) designate the speed to be travelled by vehicles on driveways;
 - (ii) designate areas where parking of vehicles is permitted;
 - (iii) designate the direction that vehicles are to travel upon driveways;
 - (iv) designate areas that are to be used for certain functions or purposes;
 - (v) set out rules and regulations governing the use of certain facilities;
 - (vi) designate areas in which certain activities are prohibited;
 - (vii) limit the use of driveways or other facilities;
 - (viii) give warning of dangers;
 - (ix) prohibit entry to the park or facilities.

No person, shall in any park, contravene the directions, instructions or prohibitions set out in any sign lawfully erected pursuant to the provisions of this By-law."

16. RULES AND REGULATIONS

- "(a) The Board may make rules and regulations applicable to certain areas in parks governing the specific use of such areas and the rules to be followed by persons using such facilities and post the same,"

17. APPOINTMENT & PERMITS

- (a) The Board may appoint, in addition to a Regional Park Superintendent, such other persons as lifeguards or other supervisors for the purpose of ensuring that the provisions of this By-law are complied with and for the purpose of directing and superintending the use of facilities provided in parks.
- (b) The Board may issue permits to persons authorizing:
- (i) the selling of refreshments or articles or merchandise or the conducting of business under the terms and conditions set out in such permits;
 - (ii) the use of portions of a park for tournaments or organized sports under the terms and conditions set out in such permits;
 - (iii) the construction, building or erection of tents or other structures or facilities under the terms and conditions set out in such permits;
 - (iv) the conducting of processions, marches, drills, performances, ceremonies, concerts, gatherings and meetings under the terms and conditions set out in such permits."

18. EXEMPTIONS

Notwithstanding anything contained in this By-law or any other By-law of the Regional District to the contrary, the officers, officials and employees of the Regional District while in the exercise of their duties, shall be exempt from the provisions hereof.

19. PENALTY

Every person who contravenes any provision of this By-law is liable on summary conviction to a fine not exceeding five hundred dollars (\$500.00)


This By-law may be cited for all purposes as the "Regional Parks Regulations By-law No. 101, 19 76."

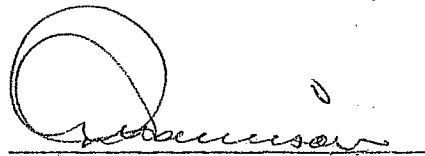
READ A FIRST TIME this 19th day of July 19 76.

READ A SECOND TIME this 19th day of July 19 76.

READ A THIRD TIME this 19th day of July 19 76.

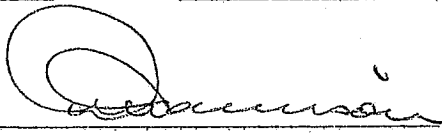
RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 20th day of September 19 76.


Chairman


Secretary-Treasurer

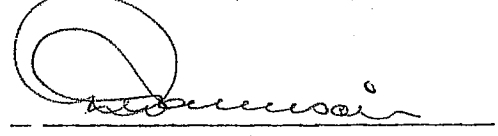
I hereby certify the foregoing to be a true and correct copy of By-law No. 101, cited as "Regional Parks Regulation By-law No. 101, 19 76", as read a third time this 19th day of July 19 76.

Dated at Kelowna, B.C. this 26 day of July 19 76.


Secretary-Treasurer

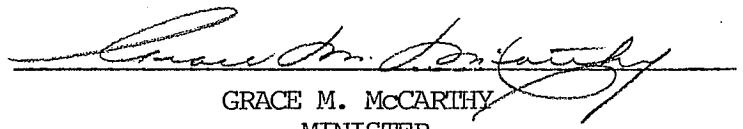
I hereby certify the foregoing to be a true and correct copy of By-law No. 101, cited as "Regional Parks Regulation By-law No. 101, 19 76", as reconsidered and adopted this 20th day of September 19 76.

Dated at Kelowna, B.C. this 22 day of September 19 76.


Secretary-Treasurer

RECEIVED THE APPROVAL OF THE MINISTER OF RECREATION AND TRAVEL INDUSTRY

THIS 11th DAY OF September, 1976.


GRACE M. MCCARTHY
MINISTER
of
RECREATION & TRAVEL INDUSTRY