

VILLAGE OF GOLD RIVER

Bylaw No. 740, 2022

PARKS USE BYLAW

WHEREAS Section 194.1 of the *Community Charter*, provides that the Council may, by bylaw, impose a fee for the use of municipal property, and may regulate, prohibit, or impose requirements; and

WHEREAS Section 15.1 of the *Community Charter* authorizes Council to provide for a system that establishes the terms and conditions that must be met for obtaining, continuing to hold, or renewing a permit; and

WHEREAS the Council has deemed it expedient to allow occasional camping on certain municipally owned public use lands;

NOW THEREFORE the Council of the Village of Gold River, in open meeting assembled, enacts as follows:

**1.0 CITATION**

1.1 This bylaw shall be cited as the Village of Gold River Park Use Bylaw No. 740, 2022.

**2.0 DEFINITIONS**

2.1 In this bylaw:

- |                        |  |
|------------------------|--|
| “Authorized Personnel” | means the Administrator, Parks & Recreation Manager, RCMP, Bylaw Enforcement Officer or such other persons appointed by the Council; |
| “Council”              | means the Council of the Village of Gold River;  |
| “Occasional Camping”   | means the temporary use of land using a vehicle, recreational vehicle, tent, lean-to, or other natural shelter;                      |
| “Municipality”         | means the Village of Gold River;   |
| “Parks Administrator”  | means the Director of Operations or their designate;   |
| “Park Use Permit”      | means a Park Use Permit issued under this bylaw and attached as Schedule “B” to this Bylaw;  |
| “Public Use Lands”     | means real property held or owned by the Village for the   |

purpose of community recreational uses;

“Unit” means a vehicle, a recreational vehicle, tent, lean-to, or other shelter used for the purpose of overnight camping.

### **3.0 APPLICATION**

3.1 This Bylaw shall apply to Public Use Lands within the municipality.

3.2 Any Authorized Personnel may order a person who does anything contrary to this bylaw to leave the Public Use Lands immediately, or within a period of time specified by the Authorized Personnel, and every person so ordered shall comply with the order and leave the Public Use Lands immediately, or within the specified time period.

### **4.0 LITTER**

4.1 No person shall deposit or place any garbage, refuse, empty or broken bottles, tin cans, paper or other waste material on Public Use Lands except in receptacles provided for such purposes.

### **5.0 CONDUCT**

5.1 No person shall obstruct or interfere with any person lawfully using Public Use Lands.

5.2 No person shall behave in a disorderly, dangerous or offensive manner on Public Use Lands.

5.3 No person shall make or cause noises or sounds including the playing of musical instruments, radios, tape players, compact disc players or similar devices or the operation of model airplanes or cars or any equipment, vehicle or machinery on Public Use Lands which disturbs or tends to disturb the quiet, peace, enjoyment and comfort of owners and occupiers of adjoining lands.

5.4 No person shall consume or possess alcohol on Public Use Lands except within designated licenced areas.

### **6.0 PARK USE AND HOURS**

6.1 No person shall enter upon or otherwise remain on Public Use Lands between the hours of 11:00 p.m. to 7:00 a.m. except:

- a) a person who has a lease or licence of occupation from the Village to operate a concession or carry on some other activity;
- b) persons possessing a valid Park Use Permit

- c) emergency and Authorized Personnel; or
- d) when tournament games are being played.

## **7.0 CAMPING**

- 7.1 The Municipality may issue a Park Use Permit for Occasional Camping on those Public Use Lands designated for Occasional Camping uses.
- 7.2 No person shall camp or sleep overnight on Public Use Lands with or without shelter of any kind, including but not restricted to a vehicle, a recreational vehicle, tent, lean-to, or other natural shelter, unless that organization has obtained a Park Use Permit allowing Occasional Camping.
- 7.3 No person shall build, or place any temporary structure or facility on Public Use Lands except where authorized by a Park Use Permit.
- 7.4 A person or organization applying for a Park Use Permit must complete and submit an Application Form as per Schedule "A", pay all fees set out in the Fees and Charges Bylaw, and any other fees established by the park's administrator.
- 7.5 The maximum number of camp sites at Marling Field shall not exceed 35.
- 7.6 Owners shall not permit or allow their dog on any school ground, playground or park where dogs are expressly prohibited.

## **8.0 FIRES**

- 8.1 No person shall start or permit to be started any fire on Public Use Lands.

## **9.0 PARK USE PERMITS**

- 9.1 The Parks Administrator may:
  - a) issue a Park Use Permit to a person or group meeting the requirements of this bylaw;
  - b) refuse to issue a Park Use Permit to any person or group who has previously contravened this bylaw;
  - c) revoke a Park Use Permit if the use is conducted in a manner that contravenes this bylaw;
  - d) provide additional services to an applicant such as cleaning the portable washrooms, or other services requested by the applicant and charge the applicant for those services on a cost recovery basis;
  - e) waive all or part of the damage deposit fee for non-profit organizations when they are not camping.

- 9.2 If an applicant disagrees with a decision made by the Parks Administrator in Section 9.1, they may make a written appeal to the Chief Administrative Officer, who may overturn a decision made by the Parks Administrator.

If the applicant disagrees with the decision made by the Chief Administrative Officer, then the applicant may make an appeal to Mayor and Council who may, by resolution, overturn a decision made by the Parks Administrator or Chief Administrative Officer regarding this bylaw.

- 9.3 The Parks Use Permit applicant is solely responsible for any and all loss, damage, claims or expenses arising out of the use authorized by the Park Use Permit. Neither the Municipality nor any of its employees, officials, agents, servants, volunteers or representatives accepts or assumes any responsibility for any claims, actions, costs, expenses or demands in respect to any and all death, injury, loss or damage to persons or to property, howsoever caused, arising out of or in connection with the use, for which a Park Use Permit has been issued.

- 9.4 The Parks Use Permit applicant is responsible for any additional fees or charges applicable if in the opinion of the Parks Administrator additional Village services are required (garbage bins, portable toilets, lighting, etc.) related to the use authorized by the Park Use Permit.

## **10.0 OFFENCES**

- 10.1 Any person who contravenes a provision of this bylaw is guilty of an offence and is liable to a penalty of not less than \$100.00 and not more than the maximum prescribed by the *Offence Act*.
- 10.2 Penalties may be processed by bylaw notice in accordance with the Village of Gold River Bylaw Notice Enforcement Bylaw No. 737, 2022 or by the municipal ticket information system in accordance with the Village of Gold River Municipal Ticket Information Bylaw No. 704, 2018.
- 10.3 Penalties for offences against this bylaw are set out in Schedule "A" of the Village of Gold River Bylaw Notice Enforcement Bylaw No. 737, 2022."

- 10.4 Each day constitutes a separate offence.

## **11.0 SEVERABILITY**

- 11.1 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

## **12.0 REPEAL**

12.1 The Village of Gold River Parks Use Bylaw No. 654, 2006 is hereby repealed.

READ A FIRST AND SECOND TIME THIS	7 <sup>TH</sup>	DAY OF	JUNE	2022.
READ A THIRD TIME THIS	7 <sup>TH</sup>	DAY OF	JUNE	2022.
ADOPTED THIS	20 <sup>TH</sup>	DAY OF	JUNE	2022.



B. Unger  
MAYOR



M. Roy  
CORPORATE ADMINISTRATOR

Bylaw No. 740, 2022 - Schedule "A"

**APPLICATION FOR PARK USE PERMIT**

Organization: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Purpose of event: \_\_\_\_\_

Date(s) of event: \_\_\_\_\_

# of Campsites required: \_\_\_\_\_

Garbage cans, toilet facilities: \_\_\_\_\_

\_\_\_\_\_

I HAVE READ AND FULLY UNDERSTAND THE REGULATIONS AND AGREE TO ABIDE BY SAME. ANY VIOLATIONS WILL RESULT IN THE IMMEDIATE CANCELLATION OF THE PERMIT AND MAY RESULT IN PROSECUTION AND THE REFUSAL OF ALL FUTURE PERMITS TO THAT ORGANIZATION.

Applicant signature: \_\_\_\_\_ Date \_\_\_\_\_

*Personal information is collected in accordance with Section 26(C) of the Freedom of Information and Protection of Privacy Act. If you have any questions or concerns relating to the collection or disclosure of information, please contact the Village of Gold River at 250-283-2202.*

THIS PORTION TO BE COMPLETED BY VILLAGE STAFF ONLY	
Application received: _____	Fee received: _____
Damage Deposit received: _____	Damage Deposit returned: _____
Authorized Signature _____	Date _____
Notes: _____	
_____	

Bylaw No. 740, 2022 - Schedule "B"

**CAMPGROUND FEE STATEMENT**

Organization: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Purpose of event: \_\_\_\_\_

Date(s) of event: \_\_\_\_\_

**Fees:**

Application Fee: \$ \_\_\_\_\_

Site Fee: \$ \_\_\_\_\_

Damage Deposit: \$ \_\_\_\_\_

Other Fees: \$ \_\_\_\_\_

**Total collected:** \$ \_\_\_\_\_

**PARK USE PERMIT**

The Parks Administrator of the Village of Gold River approves the following Park Use Permit:

Name of Person/Organization: \_\_\_\_\_ has  
been granted approval to occupy public use lands at \_\_\_\_\_  
which INCLUDES / DOES NOT INCLUDE (circle one) occasional camping from  
\_\_\_\_\_ to \_\_\_\_\_, for the following special event \_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Signature – Parks Administrator

\_\_\_\_\_  
Date

I/We hereby agree to all provisions of the Village of Gold River Park Use Bylaw, have read and understand the Park Use Permit Regulations and pay all required fees as set out in this schedule.

\_\_\_\_\_  
Signature - Applicant

\_\_\_\_\_  
Date