



A BYLAW OF THE CITY OF MEDICINE HAT to provide for the regulation of the City's Parks;

WHEREAS the *Municipal Government Act*, R.S.A. 200C. M-26 empowers Council for The City of Medicine Hat to pass bylaws for municipal purposes, which include fostering the well-being of the environment and developing and maintaining safe and viable communities;

AND WHEREAS The City of Medicine Hat's public parks are valued and treasured public assets, and protecting their value and quality is a high priority as is ensuring that they remain safe and accessible for the health, welfare and enjoyment of all residents and visitors of Medicine Hat;

AND WHEREAS the City of Medicine Hat is committed to maintaining the integrity of a high-quality and diverse park and leisure trail system providing a safe, sustainable, aesthetically pleasing and comfortable environment by regulating activities within its public parks and prohibiting activities that may damage City-owned public assets or the environment or jeopardize public safety;

AND WHEREAS section 60 of the *Municipal Government Act*, RSA 2000, c. M-26 provides that subject to any other enactment, a municipality has the direction, control, and management of the bodies of water within the municipality, including the air space above and the ground below;

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1 This Bylaw may be cited as the "Parks Bylaw".

2. DEFINITIONS AND INTERPRETATION

2.1 In this Bylaw:

- (a) **"Animal"** means any mammal excluding humans, or any bird, reptile, or amphibian.
- (b) **"Beach"** means an area of public land alongside a Waterbody, either natural or human-made.
- (c) **"Bicycle"** means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and that:
 - (i) may be propelled by muscular power;
 - (ii) is fitted with pedals that are continually operable to propel it; and
 - (iii) weighs not more than 35 kilograms.
- (d) **"Boulevard"** includes any land permanently or temporarily used as a Park Roadway buffer strip.
- (e) **"Bylaw Enforcement Officer"** means any police officer, peace officer or other person appointed or employed by the City having the authority to enforce bylaws.

- (f) **"Camp"** means to live or take up quarters or temporary abode in a Park, and includes taking up quarters or temporary abode in a vehicle, tent, tent trailer, trailer, or any other temporary or portable shelter or under the open sky.
- (g) **"Campground"** has the meaning given to "Campground" in the City's Land Use Bylaw No. 4168.
- (h) **"Cemeteries Bylaw"** means the City's Cemeteries Bylaw No. 3121, as amended or replaced from time to time.
- (i) **"Child"** means a person under twelve (12) years of age.
- (j) **"City"** means the Municipal Corporation of the City of Medicine Hat and includes its geographical area, as the context requires.
- (k) **"City's Election Campaign Sign Guidelines"** means the election sign campaign guidelines established by the City's Parks and Recreation Department from time to time.
- (l) **"City Manager"** means the chief administrative officer of the City, operating under the title of "City Manager".
- (m) **"Community Services Reserve"** has the meaning given to "community services reserve" in Section 616(a.2) of the MGA and that is located in the City.
- (n) **"Conservation Reserve"** has the meaning given to "conservation reserve" in Section 616(a.3) of the MGA and that is located in the City.
- (o) **"Council"** means the elected Council of the City of Medicine Hat.
- (p) **"Cyclist"** means a person who rides a bicycle.
- (q) **"Daytime"** means period commencing one hour before sunrise and ending one hour after the following sunset.
- (r) **"Dilapidated Vehicle"** means any vehicle that is:
 - (i) incapable of being safely operated;
 - (ii) partially or fully wrecked or dismantled; or
 - (iii) substantially damaged.
- (s) **"Dog Park"** means a formally designated area of Park that is authorized for off-leash dog activities.
- (t) **"Drone"** means an aircraft, other than a balloon, rocket or kite, that is operated by a pilot who is not on board and includes a Remotely Piloted Aircraft and a Remotely Piloted Aircraft System as those terms are defined in the Canadian Aviation Regulations SOR/96-433 and an unmanned aerial vehicle (commonly abbreviated as UAV).

- (u) **“Election Sign”** means any sign used to promote or oppose a candidate or party during a provincial or federal election or by-election, or any election or by-election held pursuant to the *Local Authorities Election Act*, R.S.A. 2000, c. L-21, as amended or replaced from time to time.
- (v) **“Environmental Reserve (ER)”** has the meaning given to “environmental reserve” in Section 616(e) of the MGA and that is located in the City.
For the purposes of this Bylaw, the definition of “Environmental Reserve (ER)” encompasses historical reserve designations where the type of reserve is not indicated.
- (w) **“Encroachment”** means any physical intrusion upon or use of a Park, other than an intrusion or use that is allowed under this Bylaw or Permit or that has been authorized by the Council or other body having jurisdiction, and includes:
 - (i) landscaping and gardening, including the cutting or pruning of Vegetation;
 - (ii) the erection or installation of fences, walls, irrigation equipment, garden sheds or other fixtures or structures; or
 - (iii) the placement or location of a trampoline, horseshoe pitch, skateboard ramp, Playground equipment or other recreational items or facilities.
- (x) **“E-Bike”** means an electric powered Bicycle that:
 - (i) has no hand or foot operated clutch nor hand or foot operated gearbox driven by the motor that transfers the power to the driven wheel;
 - (ii) has a maximum attainable top speed of below thirty-two (32) kilometers per hour on level ground within a distance of two (2) kilometres from a standing start, and includes a two-wheeled Bicycle equipped with an electric motor that can be run on either or both of electric power and assisted pedaling or be entirely powered by human powered foot pedals.
- (y) **“E-Scooter”** means a Vehicle that:
 - (i) has two wheels, a handlebar, a floorboard that is designed to be stood upon while riding and is powered by an electric motor; and
 - (ii) has a permit to operate granted by the province of Alberta.
- (z) **“Heritage Trails Network”** means the network of asphalt trails in the City established and updated from time to time by the City and intended primarily for use by Pedestrians and cyclists.
- (aa) **“Land Use Bylaw”** means the City of Medicine Hat’s Land Use Bylaw.
- (bb) **“Litter”** means any solid or liquid material or product or combination of solid or liquid materials or products, including but not limited to:
 - (i) any rubbish, refuse, garbage, paper, package, toy, water balloons, the release of balloons, cardboard, container, bottle, can, manure, cremated remains, household garbage or furniture, human or Animal excrement, hazardous waste, or sewage of the whole or part of an Animal carcass; or
 - (ii) the whole or part of any article, raw or processed materials, Vehicle or other machinery, that is disposed of; and without limiting the generality of the

foregoing, includes any car, truck, or motorcycle that has no vehicle registration certificate for the current year and any Dilapidated Vehicle.

- (cc) **“Livestock”** means one or more of the following:
 - (i) a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep, or goat;
 - (ii) domestically reared or kept reindeer, moose, elk, or bison;
 - (iii) farm bred fur-bearing animal including a fox or mink;
 - (iv) an Animal of the bovine species;
 - (v) an Animal of the avian species including a chicken, turkey, duck, goose, or pheasant; and
 - (vi) any other Animal that is kept for agricultural purposes, but does not include cats, dogs, or other domesticated household pets.
- (dd) **“Municipal Reserve (MR)”** has the meaning given to “municipal reserve” in Section 616(o) of the MGA and that is located in the City.
- (ee) **“Municipal and School Reserve (MSR)”** has the meaning given to “municipal and school reserve” in Section 616(p) of the MGA and that is located in the City.
- (ff) **“MGA”** means the *Municipal Government Act*, RSA 2000, Chapter M-26.
- (gg) **“Natural Area”** means undisturbed or relatively undisturbed land or water, or both, within the geographic boundaries of and owned or controlled by the City that has, or contains characteristics of, natural or native plant or Animal ecological or geographical systems, and includes wetlands, escarpments, hill slopes, hillsides, riparian corridors, grasslands, woodlands and wildlife habitats.
- (hh) **“Nighttime”** means the period commencing one hour after sunset and ending one hour before the following sunrise;
- (ii) **“Off-Leash Dog Area”** means a designated area of Park, other than a Dog Park, that has been formally designated as an area permitted for off-leash dog use.
- (jj) **“Park”** includes all lands within the City that are owned or controlled by the City and used for rest, recreation, exercise, pleasure, amusement, cultural heritage, education, appreciation of nature, and general enjoyment, and includes, without limitation:
 - (i) Beaches;
 - (ii) Boulevards, Park Roadways, and Sidewalks thereto;
 - (iii) Campgrounds;
 - (iv) Cemeteries;
 - (v) Community Services Reserve;
 - (vi) Conservation Reserve;
 - (vii) Dog Parks;
 - (viii) Environmental Reserve;
 - (ix) the Heritage Trails Network;
 - (x) Municipal Reserve;
 - (xi) Municipal and School Reserve;
 - (xii) Natural Areas;

- (xiii) Off-Leash Dog Areas;
 - (xiv) Playgrounds;
 - (xv) Playing Fields/Sports Fields;
 - (xvi) School Reserve;
 - (xvii) Trails; and
 - (xviii) Waterbodies,
- regardless of whether all members of the public have the right of access thereto but does not include golf courses.
- (kk) **“Park Roadway”** means a paved, gravelled, or other surface intended for use by vehicular traffic that is located within a Park.
- (ll) **“Pedestrian”** includes:
- (i) a natural person on foot;
 - (ii) a natural person in or on a mobility aid; or
 - (iii) a natural person on or in a Wheeled Conveyance.
- (mm) **“Permit”** means a permit issued by the City of Medicine Hat under the authority of this or any other bylaw.
- (nn) **“Person”** means any corporation, society, organization, firm, partnership, association, or registered company, as well as a natural person.
- (oo) **“Playground”** means City-owned or managed land on which the City has provided play equipment or playful amenities
- (pp) **“Playing Field”/ “Sports Field”** means an outdoor area of a Park that has permanent features such as netting, chain link fence, gravel and/or grass to accommodate one or more specific sport(s) or activities.
- (qq) **“Saamis Archaeological Site”** is a Provincial Historic Resource located in the valley of Seven Persons Creek in Medicine Hat.
- (rr) **“School Reserve (SR)”** has the meaning given to “school reserve” in Section 616(cc) of the MGA and that is located in the City.
- (ss) **“Sidewalk”** means that portion of a Park Roadway especially adapted to the use of or ordinarily used by Pedestrians.
- (tt) **“Sign”** includes any kind of sign as defined under the Land Use Bylaw, and also includes an Election Sign.
- (uu) **“Trail”** means any multi-use trail, pathway, or sidewalk through a Park intended for non-vehicular travel, and includes the Heritage Trail System.
- (vv) **“Vegetation”** includes all trees, shrubs, plants, flowers, and grass, or all ground cover, including seeds, whether it is in its wild or natural state, or has been planted.
- (ww) **“Vehicle”** includes: (i) a car, truck, all-terrain vehicle, motorcycle, snowmobile, moped, or other device that is or may be propelled by a motor and can exceed

speeds of 35km per hour; and includes (ii) a trailer, camper, or other device which may be towed behind another Vehicle; but (iii) does not include an E-Bike, E-Scooter, Bicycle, Drone, or Wheeled Conveyance.

- (xx) “**Waterbody**” means a naturally occurring river, stream, watercourse, lake, body of permanent or temporary water, or a human-created swim lake, stormwater management facility, drainage basin or other recreational water containment basin, including when frozen.
- (yy) “**Wheeled Conveyance**” includes roller skates, in-line skates, roller skis, skateboards, scooters, unicycles, motorized three- or four-wheeled scooters designed as mobility aids, motorized wheelchairs or other similar devices but excludes Bicycles, E-Bikes, E-Scooters, Vehicles or any other motorized scooters.

- 2.2 In this Bylaw, the words “include”, “includes”, “including”, and similar formulations, denote that the subsequent list is non-exhaustive.
- 2.3 This Bylaw shall not be interpreted or construed to prohibit or constrain activities in Parks by employees or contractors of the City while carrying out the duties required by their employment or contract.

3. **APPLICATION**

- 3.1 This Bylaw applies to all Parks.
- 3.2 Despite Section 3.1 of this Bylaw, pursuant to Section 23(1) of the Cemeteries Bylaw, where there is a conflict between the provisions of this Bylaw and the Cemeteries Bylaw, the Cemeteries Bylaw shall prevail.
- 3.3 Each reference in this Bylaw to a particular statute, regulation, bylaw, policy, or guidelines, or a provision thereof, shall be deemed to refer to such statute, regulation, bylaw, policy, guidelines, or provision thereof, as amended or replaced from time to time. Further, each reference to a statute under this Bylaw includes the regulations made under that statute.

4. **PARK HOURS AND PERMITTED ACTIVITIES IN PARKS**

Hours

- 4.1 All Parks are open for public use twenty-four (24) hours a day, unless otherwise posted on a Sign at the Park or on the City’s website.
- 4.2 No Person shall enter or remain in a Park or portion of a Park when the Park or portion of the Park is closed to the public.

Permitted Activities

- 4.3 Despite any other provision of this Bylaw, a Person may carry out any activity in a Park otherwise regulated, restricted, or prohibited by this Bylaw if:
 - (a) a Permit has been issued by the City Manager authorizing such activity;

- (b) the activity is permitted or contemplated pursuant to a license or rental agreement between the Person and the City relating to the subject Park;
- (c) the activity takes place in an area designated by the City Manager for such activity;
- (d) the activity is authorized by City signage;
- (e) another bylaw of the City specifically permits the activity in a Park or an area of a Park; or
- (f) the Person is an employee or authorized contractor or agent of the City acting within the scope of their functions, duties, or powers.

4.4 All fees and other charges imposed or designated for the use of any Park or any part thereof are payable and must be paid before the commencement of any such use unless the City Manager determines otherwise.

5. RESTRICTED ACTIVITIES IN PARKS

Safe and Courteous Behaviour

- 5.1 No Person shall engage in any conduct or activity in a Park which:
- (a) unreasonably obstructs or disturbs the use or enjoyment of any other user of the Park; or
 - (b) injures or is likely to injure another user of the Park.
- 5.2 While in a Park, no Person shall throw or forcibly propel any dangerous object including, but not limited to, stones, projectiles, golf balls, arrows, boomerangs, steel-pointed lawn darts, or hockey pucks except in Park areas designated for use for the specific sporting activity.
- 5.3 No Person shall:
- (a) enter or remain in a Park while intoxicated; or
 - (b) visibly possess, display, use, or consume a controlled substance in a Park.
- 5.4 No Person shall urinate or defecate in a Park except in a public washroom or portable facility provided for that purpose.
- 5.5 No Person shall possess or operate a chainsaw in a Park.
- 5.6 The sale or consumption of alcohol, or both, within a Park is prohibited except where prior approval has been granted by the City in accordance with the City of Medicine Hat Alcohol Management Policy, No. 0130.
- 5.7 While in a Park, no Person shall:
- (a) climb on any building, structure or equipment in the Park unless it is designed specifically for the purpose of climbing;
 - (b) build or erect a permanent or temporary structure; or
 - (c) place or set up any form of permanent or temporary abode except with a Permit at a designated site in a Campground for the purpose of Camping.

Protection of Parks

- 5.8 No Person shall drain or redirect water from a private parcel of land onto or into a Park except in accordance with a current approved lot grading plan.
- 5.9 While in a Park, no Person shall:
- (a) dig, disturb or remove any mineral substance including gravel, rock, sand, or soil from the Park;
 - (b) damage, deface, destroy, dig, disturb, or remove any bones, fossils, artifacts, art, installation, or historical artifacts from the Park ;
 - (c) affix signage, ropes or other objects to a tree that could cause damage to the bark;
 - (d) break, cut, damage, destroy, dig, disturb, or remove any Vegetation, whether dead or alive, other than the foraging, harvesting and gleanings of edible produce of plants and trees for one's personal non-commercial use, provided that no damage or harm is caused to the tree or plant;
 - (e) plant, grow, place or modify any Vegetation;
 - (f) cut logs or wood or remove any logs or wood from the Park ;
 - (g) use any part of the Park for the purpose of storage, gardening or other private uses;
 - (h) foul, pollute, or deposit any foreign matter or thing in the Park ;
 - (i) alter any fountain, lake, stream, pool, pond, well or spring or other Waterbody;
 - (j) walk, stand, or sit on or in any flower or shrub bed;
 - (k) walk, cross, or use any grass, plot, or land where signs have been posted prohibiting such use;
 - (l) modify the ground or erect any unsafe ramp or feature; or
 - (m) remove or alter any fence, barricade or bollards that regulate access to the Park.
- 5.10 No Person shall leave a Trail while in the Saamis Archaeological Site or any other area designated or formally posted by the City as an environmentally sensitive area.
- 5.11 No Person shall discard Litter in a Park except in a designated waste or recycling receptacle provided by the City for that purpose.
- 5.12 No Person shall:
- (a) use water balloons in a Park;
 - (b) while in a Park, use, operate, or release a balloon that will rise into the atmosphere once released, including but not limited to a hot air balloon;
 - (c) deposit any dirt, grass clippings, rubble, tree debris (including fruits, seeds, cones and cuttings from pruning) or other waste materials in a Park;
 - (d) deposit any pet waste or compost material in a Park;
 - (e) deposit chemicals or pesticides in a Park;
 - (f) store or leave construction equipment or related items in a Park; or
 - (g) dispose of ashes of any kind in a Park without a Permit.

Waterbodies – General

- 5.13 No Person shall:
- (a) enter, wade, bathe, swim, or skate, in or on any Waterbody;
 - (b) operate or allow the operation of any row boat, paddle boat, kayak, canoe, or other person-propelled watercraft, or a remote-controlled model boat, on a Waterbody; or
 - (c) place or keep an Animal in, or allow an Animal to enter, any Waterbody,

unless that particular activity is authorized by the City Manager.

- 5.14 (a) A Person must wear an approved lifejacket or personal flotation device at all times while in, on, or holding on to any vessel being used as a means of personal or recreational (non-commercial) water transportation in the South Saskatchewan River or any creek.
- (b) The lifejacket or personal flotation device referred to in subsection 5.14(a) must be worn in a way and in a condition capable of adequately sustaining the Person in the water without effort or motion of any kind.
- (c) This Section 5.14 does not apply to Persons operating racing canoes, racing kayaks, or rowing shells when exempted by and in compliance with the *Small Vessel Regulations* (Canada).

Swimming – Echo Dale Regional Park

- 5.15 A Person may swim or wade in the designated swim lake at Echo Dale Regional Park provided that the Person obeys all signage posted at the Park and subject to the following further restrictions:
- (a) a Person shall only swim or wade in the swim lake during the Daytime and further provided that the swim lake is open to the public;
- (b) no Person shall allow a Child under the age of nine (9) years to enter the swim lake unless the Child is accompanied in the water by an adult Person who is within that adult Person's arm's length of the Child;
- (c) no Person shall allow any personal Animal in the swim lake or on the Beach;
- (d) no Person shall bring, or allow to be brought, any glass container of any kind onto the Beach or into the swim lake;
- (e) no Person shall fail to comply with any direction of any City representative, including an on-duty lifeguard or Bylaw Enforcement Officer, regarding the swim lake; and
- (f) no Person shall use any floating object which, in the opinion of an on-duty lifeguard or a Bylaw Enforcement Officer, is considered unsafe or hazardous.

Boating

- 5.16 A Person may operate a row boat, paddle boat, kayak, canoe, or other person-propelled watercraft on the following Waterbodies in Parks:
- (a) on the boating lake at Echo Dale Regional Park;
- (b) on the Heritage Pavilion pond at Strathcona Island Park;
- (c) on the reservoir adjacent to College Drive S.E.;
- (d) on the irrigation pond in the South Ridge Community Park; and
- (e) on the pond in Leinweber Park,
- provided that every Person on the row boat, paddle boat, kayak, canoe, or other person-propelled watercraft wears a lifejacket or personal flotation device at all times.

Fishing

- 5.17 Subject to Section 5.18, a Person in possession of a current and valid Province of Alberta fishing license may fish with a rod and reel within any Waterbody other than the Swim Lake at Echo Dale Regional Park.

- 5.18 No Person shall engage in ice fishing on any Waterbody unless otherwise posted on a Sign or on the City's website in relation to that Waterbody.

Fires

- 5.19 No Person shall make a fire in a Park unless the Person:
- (a) makes the fire with firewood in a fireplace, fire pit, or other fire receptacle provided by the City for that purpose; or
 - (b) uses a portable propane-fueled fire pit or portable propane-fueled barbeque at a designated picnic site and the fire is contained within such fire pit or barbeque.
- 5.20 No Person shall start a fire in a Park when a fire ban is in place.
- 5.21 While in a Park, no Person shall:
- (a) allow a fire to get out of control;
 - (b) allow a fire to burn after 2230h;
 - (c) throw or place upon the ground any burning material;
 - (d) remove firewood from any City-supplied source unless the Person then uses the firewood in a fireplace, fire pit, or other fire receptacle provided by the City for that purpose;
 - (e) burn any material or thing that emits, or may emit, noxious fumes when burned, including but not limited to treated lumber, tires, rubber, or plastics;
 - (f) leave a fire unattended;
 - (g) leave the site of a fire before completely extinguishing the fire and all coals and embers; or
 - (h) dispose of any coals or embers except in a receptacle provided by the City for that purpose; or
 - (i) burn leaves or deadfall from trees including grass whether dead or alive.

No Camping

- 5.22 No Person shall Camp in a Park except with a Permit at a designated site in a Campground.

Certain Recreational Activities in Designated Areas Only

- 5.23 A Person shall not engage in the following recreational activities in a Park except in an area designated by the City for such activities:
- (a) ice hockey;
 - (b) horseback riding; and
 - (c) riding downhill on a toboggan, sleigh, carpet or other snow-gliding device.
- 5.24 The City Manager may designate areas of Parks in which the activities listed in Section 5.23 are allowed.

Special Activities

- 5.25 While in a Park, no Person shall:
- (a) spread or deposit cremated remains;
 - (b) sell, display, or distribute any goods or services;

- (c) distribute any handbills or circulars;
- (d) conduct any business or commercial venture;
- (e) participate in any commercial performance;
- (f) discharge any fireworks, firecrackers or explosives of any description; or
- (g) carry or discharge firearms of any description.

- 5.26 Despite Section 5.25, the City Manager may issue a Permit to allow a Person to engage in any of the activities listed in Section 5.25.
- 5.27 No Person shall allow any Livestock the Person owns or controls to enter any Park unless the Person has received a Permit from the City Manager.
- 5.28 While in a Park, no Person shall attend or take part in any public or private gathering, event, procession, demonstration, or performance in the Park unless the City Manager as issued a Permit authorizing that particular public or private gathering, event, procession, demonstration, or performance.
- 5.29 While in a Park, no Person shall:
- (a) make a public address; or
 - (b) operate any amplifying system or loudspeaker, unless that Person holds a Permit issued by the City Manager authorizing that particular activity.

6. ENCROACHMENTS

No Encroachments

- 6.1 No Person shall create, cause, or contribute in any way to the existence or continuance of an Encroachment in a Park.

Removal of Encroachment

- 6.2 The City Manager may, in writing, order a Person who creates, causes or contributes in any way to the existence or continuance of an Encroachment to:
- (a) stop or discontinue the Encroachment,
 - (b) demolish or remove or alter the Encroachment, or
 - (c) take any other measure specified in the notice to deal with the Encroachment.
- 6.3 A Person who receives an order under Section 6.2 shall carry out the terms of such order within the time period specified in the order at the Person's expense.

Failure to Remove Encroachment

- 6.4 If a Person fails or refuses to comply with an order issued by the City Manager under Section 6.2, the City Manager may take any action necessary to carry out the terms of the order at the expense and for the account of the Person in default of the order, and the City may recover the expenses thereof with the costs, by action or in like manner as municipal taxes.

7. SIGNAGE

Signs

- 7.1 No Person other than the City Manager, a Bylaw Enforcement Officer, or an employee or contractor of the City in the course of carrying out their respective functions, duties, or powers on behalf of the City, shall erect or display or cause or permit to be erected or displayed any Sign within any Park except:
- (a) in compliance with the Land Use Bylaw and, in the case of Election Signs, also in compliance with the City's Election Campaign Sign Guidelines; or
 - (b) pursuant to a Permit issued by the City Manager.

Sign Contraventions

- 7.2 Where a Sign is erected or displayed in contravention of Section 7.1 of this Bylaw, any Person named in the application for the Sign or, in the absence of an application for the Sign, on the Sign, shall be presumed to have been the Person who erected or displayed the Sign, which presumption may be rebutted by that Person by evidence to the contrary on a balance of probabilities.
- 7.3 Where a Sign is erected or displayed in contravention of Section 7.1 of this Bylaw, and the Sign has no person's name on it, but a telephone number appears on the Sign, any Person to whom the telephone number is listed in a telephone directory, including any internet directory, shall be presumed to have been the Person who erected or displayed the Sign, which presumption may be rebutted by that Person by evidence to the contrary on a balance of probabilities.
- 7.4 Where a Sign is erected or displayed by a corporation in contravention of any provision of this Bylaw, the directors and officers of the corporation shall be presumed to have knowingly directed the erection or display of the Sign in contravention of this Bylaw, which presumption may be rebutted by the directors and officers of the corporation by evidence to the contrary on a balance of probabilities.

8. DRONES AND AIRBORNE DEVICES

General Prohibition

- 8.1 Subject to Sections 8.2 and 8.3 of this Bylaw, no Person shall operate a Drone in a Park.

Lightweight Drones – No Permit Required

- 8.2 A Person may operate a Drone that weighs less than 250 grams and complies with all provincial and federal legislation, including all requirements under the *Canada Aeronautics Act*, R.S.C. 1985, c. A-2 and regulations made thereunder, in an area of a Park designated for Drone use by the City Manager.

Heavyweight Drones – Permit Required

- 8.3 A Person may operate a Drone that weighs 250 grams or more and complies with all provincial and federal legislation, including all requirements under the *Canada Aeronautics*

Act, R.S.C. 1985, c. A-2 and regulations made thereunder, in an area of Park designated for Drone use by the City Manager if the City Manager has issued a Permit to that Person for such Drone operation and provided that the Person's operation of the Drone complies with the terms of the Permit.

9. VEHICLES

General

- 9.1 The recommended maximum speed for Vehicles, Bicycles, Wheeled Conveyances, E-Bikes, and E-Scooters is twenty (20) kilometers per hour except where the City has posted a mandatory maximum speed limit either by signage or on the City's website, in which case the mandatory maximum speed limit shall apply and no Person shall operate a Vehicle, Bicycle, Wheeled Conveyance, E-Bike, or E-Scooter, as applicable, at a speed greater than the posted mandatory maximum speed limit.
- 9.2 No Person shall:
- (a) operate a Vehicle in a Park except on a Park Roadway or other area designated for use by Vehicles;
 - (b) subject to subsection (c), park a Vehicle in a Park other than on the side of a Park Roadway where it is safe to do so, or in an area designated by the City for Vehicle parking;
 - (c) park a Vehicle on a Park Roadway in a Park where prohibited by a traffic control device;
 - (d) leave a Vehicle in a Park between 2300h in the evening and 0500h the next morning;
 - (e) despite Section 9.1, drive a Vehicle at a speed in the Park that is unreasonable in the circumstances, having regard to other users of the Park or Park Roadway, the weather, visibility, Vehicular traffic, Pedestrian traffic, the condition of the Vehicle, and, as the case may be, the condition of the Trail in the Park or the condition of the Park Roadway; or
 - (f) disobey a flagger, City employee, or Bylaw Enforcement Officer who is directing traffic within a Park.

Bicycles, E-Bikes, E-Scooters and Wheeled Conveyances

- 9.3 While in a Park no Person shall:
- (a) ride or use a Bicycle, E-Bike, E-Scooter, or Wheeled Conveyance except on a Park Roadway or on a Trail designated for that purpose;
 - (b) despite Section 9.1, ride or use a Bicycle, E-Bike, E-Scooter, or Wheeled Conveyance at a speed in the Park that is unreasonable in the circumstances, having regard to other users of the Park, the weather, visibility, Vehicular traffic, Pedestrian traffic, the condition of the Bicycle, E-Bike, E-Scooter, or Wheeled Conveyance, and, as the case may be, the condition of the Trail or the condition of the Park Roadway; or
 - (c) operate a Bicycle, E-Bike, E-Scooter or Wheeled Conveyance on a Trail or a Park Roadway in a manner that is unsafe to that Person or other people in the Park.
- 9.4 While riding or using a Bicycle or Wheeled Conveyance in a Park, a Person shall ensure the Bicycle or Wheeled Conveyance is equipped with an audible warning device, such as

a horn or bell, at least one working brake, and during night time hours or any time when, due to insufficient light or unfavourable atmospheric conditions, objects are not clearly discernible in the Park at a distance of at least 150 metres ahead, a Person shall ensure the Bicycle or Wheeled Conveyance is also equipped with a functioning headlamp, functioning red tail lamp, and a rear red reflector.

- 9.5 Despite Section 9.4, while riding or using a Bicycle or Wheeled Conveyance in a Park during night time hours or any time when, due to insufficient light or unfavourable atmospheric conditions, objects are not clearly discernible in the Park at a distance of at least 150 metres ahead, a Person may wear a forward-facing white light and rear red reflector if a functioning head lamp, functioning red tail lamp, and rear red reflector cannot be attached to the Bicycle or Wheeled Conveyance.
- 9.6 A Person may ride or use a Wheeled Conveyance on a Trail unless otherwise posted on a Sign or on the City's website in relation to that Trail.
- 9.7 A Person may ride or use a Bicycle, E-Bike, or E-Scooter on a Trail unless otherwise posted on a Sign or on the City's website in relation to that Trail.

Passing

- 9.8 Every Person using a Bicycle, E-Bike, E-Scooter, or Wheeled Conveyance within a Park shall:
 - (a) alert anyone the Person is about to pass from behind by giving an audible signal a reasonable amount of time before passing;
 - (b) use reasonable care when passing another Person; and
 - (c) exercise care and attention to avoid any collision with another user of the Park.

E-Bikes and E-Scooters – Children and Safety Equipment

- 9.9 A Child must not operate an E-Bike or E-Scooter in a Park.
- 9.10 While using an E-Bike or E-Scooter in a Park, a Person shall ensure the E-Bike or E-Scooter is equipped with an audible warning device, such as a horn or bell, at least one working brake, a rear red reflector, and if the Person is using the E-Bike or E-scooter during night time hours or any time when, due to insufficient light or unfavourable atmospheric conditions, objects are not clearly discernible in the Park at a distance of at least 150 metres ahead, the Person shall ensure the E-Bike or E-Scooter is also equipped with a functioning headlamp and functioning red tail lamp.
- 9.11 Despite Section 9.10, a Person may wear a forward-facing white light and a forward-facing red reflector instead of equipping the Person's E-Bike or E-Scooter, as applicable, with a functioning head lamp and functioning red tail lamp if it is not possible to securely attach a functioning head lamp and functioning red tail lamp to the E-Bike or E-Scooter. The onus of proving that it is not possible to securely attach a functioning head lamp or functioning red tail lamp, as the case may be, to the E-Bike or E-Scooter is on the Person making that assertion on a balance of probabilities.

Passengers on Bikes and E-Bikes

- 9.12 A Person shall only permit a passenger on a Bicycle or E-Bike in a Park if the Bicycle or E-Bike is equipped with a manufacturer-produced seat designated for passenger use or a manufacturer-produced pull-behind child carrier that is attached to the Bicycle or E-Bike in accordance with the manufacturer's specifications. The onus of proving that a seat or pull-behind child carrier, as the case may be, is manufacturer-produced is on the Person making that assertion on a balance of probabilities.
- 9.13 No Person shall permit a passenger on an E-Scooter in a Park.

10. PERMITS

- 10.1 Any Person issued a Permit under this Bylaw shall:
- (a) have the Permit available for review and inspection when exercising the rights granted under the Permit;
 - (b) comply with all conditions stated in the Permit; and
 - (c) produce the Permit upon the demand of an employee of the City or a Bylaw Enforcement Officer.

11. CITY MANAGER POWERS AND DUTIES

General

- 11.1 The City Manager is authorized, as the City Manager may deem necessary for the administration of the City's Parks, the preservation and protection of Parks and recreational amenities, or to ensure public safety, to:
- (a) issue any Permit required under this Bylaw and issue any Permit that authorizes activities otherwise regulated, restricted, or prohibited by this Bylaw;
 - (b) impose terms and conditions on a Permit issued under this Bylaw, including, without limitation, the time, place, and duration of the activity that is the subject of the Permit;
 - (c) modify, suspend, or cancel any Permit issued under this Bylaw;
 - (d) designate areas within a Park where activities otherwise restricted or prohibited by this Bylaw are allowed;
 - (e) designate areas of a Park as an area that may be licensed to the exclusive use of a Person or group, and the conditions upon which exclusive use may be made of the area;
 - (f) designate Trails on City lands;
 - (g) close a Park or restrict the use or type of use of a Park pursuant to Section 11.2;
 - (h) prohibit fires in Parks even if otherwise allowed under this Bylaw;
 - (i) vary the time that a Park is open to the public;
 - (j) designate speed limits on Park Roadways;
 - (k) designate wading and swimming areas in Parks;
 - (l) designate boat launching areas within Parks;
 - (m) establish the content, use, and placement of operational Signs in Parks excluding traffic control devices;
 - (n) establish the conditions and locations of the sale of goods and services in a Park; and

- (o) make recommendations to Council regarding the fees for Permits issued under this Bylaw.

Park Closures

- 11.2 Despite any other provision of this Bylaw, the City Manager may temporarily close or restrict the use or type of use of any Park or portion of Park for any of the following reasons:
- (a) to conduct Park maintenance;
 - (b) to prevent damage to City property;
 - (c) to promote safety;
 - (d) to protect endangered or at-risk species;
 - (e) to preserve Vegetation;
 - (f) to rehabilitate a Natural Area; or any other reason the City Manager deems necessary to fulfill the purposes of this Bylaw.

Enforcement

- 11.3 The City Manager is responsible for administering and enforcing this Bylaw and in so doing has the authority to create or issue forms, procedures, protocols, requirements, and guidelines, and interpretations of terminology used in this Bylaw, that are not inconsistent with any provision of this Bylaw or any other enactment, in respect of:
- (a) any aspect of the process of making application for a Permit, including, without limitation:
 - (i) the timing of making an application;
 - (ii) the supporting material required for an application;
 - (b) any matter relating to enforcement of this Bylaw, or enforcement of a condition of a Permit.

Power to Delegate

- 11.4 The City Manager may delegate any of the City Manager's powers, duties or functions under this Bylaw to a designated officer or employee of the City.

12. DIRECTION TO LEAVE PARK and DIRECTION TO STOP

Direction to Leave Park

- 12.1 In addition to any other penalty that may be imposed, a Bylaw Enforcement Officer or the City Manager may, verbally or in writing, direct any Person contravening:
- (a) this Bylaw;
 - (b) any federal, provincial or other municipal legislation while in a Park; or
 - (c) any rule of conduct governing an area of a Park, to leave the Park.

Obligation to Leave

- 12.2 Any Person directed to leave a Park pursuant to this Bylaw shall:
- (a) do so immediately; and

- (b) not return to the Park within the next following twenty-four (24) hours, or such longer period of time, up to seven (7) days, as specified in the direction.

Direction to Stop

- 12.3 A Person must stop displaying, using, or consuming a controlled substance in a Park if directed to do so by a Bylaw Enforcement Officer.

13. NO INTERFERENCE

- 13.1 No Person shall interfere with a Bylaw Enforcement Officer, the City Manager, or other employee of the City in the exercise of their powers, duties, and functions pursuant to this Bylaw.

14. ENFORCEMENT

Offence

- 14.1 A Person who contravenes any provision of this Bylaw is guilty of an offence and liable upon conviction to a fine of not less than the minimum penalty set out in Schedule "A" of this Bylaw, if any, and not more than Ten Thousand Dollars (\$10,000.00) or in default of payment thereof to imprisonment for a period of not more than one (1) year.

General Penalty

- 14.2 Any Person who contravenes a provision of this Bylaw for which a specific penalty is not provided shall be liable upon conviction to a fine of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) or in default of payment thereof to imprisonment for a period of not more than one (1) year.

Violation Ticket

- 14.3 Where a Bylaw Enforcement Officer believes on reasonable and probable grounds that a Person has contravened any provision of this Bylaw, the Bylaw Enforcement Officer may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 or Part 3 of the *Provincial Offences Procedure Act* R.S.A. 2000 c. P-34. The specified penalty in respect of a contravention of this Bylaw is the amount set out in Schedule "A" of this Bylaw.

Minimum and Specified Penalties

- 14.4 Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.
- 14.5 Where there is a minimum penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the minimum penalty for the offence.

Voluntary Payment

- 14.6 Pursuant to subsection 27(2)(d) of the *Provincial Offences Procedure Act*, if the summons issued by a Bylaw Enforcement Officer under this Bylaw so provides, the Person named in a summons may make a voluntary payment in the specified amount set out in Schedule “A” of this Bylaw, and upon making the voluntary payment, that Person is not required to appear before a justice to answer the summons.

Liability

- 14.7 Payment of any fine or imprisonment for any period of time, pursuant to the provisions of this Bylaw, shall not relieve any Person from the obligation to pay any fees, charges or costs for which that Person is liable under the provisions of this Bylaw.
- 14.8 Payment of any fine or imprisonment for any period as provided for in this Bylaw shall not relieve any Person from any civil liability whatsoever which may arise by reason of that Person’s contravention of any provision of this Bylaw.

Obligation to Produce Identification

- 14.9 Where a Bylaw Enforcement Officer has reasonable grounds to believe that an offence has been committed by any Person, the Bylaw Enforcement Officer may require the name, address and proof of identity of that Person, and the Person shall supply the required information to the Bylaw Enforcement Officer.

Corporations and Partnerships

- 14.10 If a corporation commits an offence under this Bylaw, every principal, director, manager, officer, employee, or agent of the corporation who authorized, assented to, acquiesced in, or participated in the act or omission that constitutes the offence is guilty of the offence.
- 14.11 If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized, assented to, acquiesced in, or participated in the act or omission that constitutes the offence is guilty of the offence.

Proof of Permission and Designation

- 14.12 The onus of proving an activity otherwise regulated, restricted or prohibited by this Bylaw is, in fact, permitted is on the Person alleging such permission on a balance of probabilities.
- 14.13 The onus of proving that an area, location, or object is designated or authorized for the purpose of this Bylaw is on the person alleging the designation or authorization on a balance of probabilities.

Day and Part Day

- 14.14 Each day, or part of a day, that an offence under this Bylaw continues constitutes a separate offence.

15. REPEAL

15.1 Bylaw No. 2527 and all amendments hereto are hereby repealed.

16. COMING INTO FORCE.

16.1 This Bylaw shall come into force on the day that it is passed.

READ A FIRST TIME in open Council on September 15, 2025.

READ A SECOND TIME in open Council on _____.

READ A THIRD TIME in open Council on _____.

SIGNED AND PASSED on _____.

MAYOR – Linnsie Clark

CITY CLERK – Tarolyn Aaserud

**SCHEDULE “A”
OFFENCE PENALTIES**

SECTION	SHORT TITLE OF OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
4.2	Enter or remain in a Park after designated hours of operation	\$ 150.00	\$ 200.00
5.1 (a)	Unreasonably obstruct or disturb another Park user	\$ 150.00	\$ 250.00
5.2	Propel a dangerous object	\$ 200.00	\$ 400.00
5.3(a)	Enter or remain in Park while intoxicated	\$ 50.00	\$ 100.00
5.3(b)	Visible drug use in Park	\$ 25.00	\$ 50.00
5.4	Urinate or defecate in Park	\$ 100.00	\$ 150.00
5.5	Operate or possess a chainsaw in a Park	\$ 200.00	\$ 400.00
5.6	Sell or consume alcohol in a Park	\$ 200.00	\$ 300.00
5.7 (a)	Climbing where not permitted	\$ 200.00	\$ 400.00
5.7 (b)	Build or erect a structure without a Permit	\$ 100.00	\$ 300.00
5.7 (c)	Place or set up an abode outside of a Campground	\$ 100.00	\$ 300.00
5.8	Drain or redirect water from private parcel into Park	\$ 500.00	\$1500.00
5.9 (a)	Remove mineral substance from the Park	\$ 150.00	\$ 200.00
5.9 (b)	Damage or remove fossils, bones, or historical artifacts	\$ 250.00	\$ 350.00
5.9 (c)	Affix potentially damaging objects to tree	\$ 300.00	\$ 300.00
5.9 (d)	Damage Park Vegetation	\$ 200.00	\$ 300.00
5.9 (e)	Plant, grow, place, or modify any Park Vegetation	\$ 400.00	\$ 400.00
5.9 (f)	Cut logs or wood in Park or remove logs or wood from Park	\$ 200.00	\$ 300.00
5.9 (g)	Use Park for storage, gardening, or private uses	\$ 200.00	\$ 300.00
5.9 (h)	Foul, pollute, or deposit any foreign matter or thing in a Park	\$ 150.00	\$ 250.00
5.9 (i)	Alter any fountain, lake, stream, pool, pond, well, or spring in any Park	\$ 150.00	\$ 250.00
5.9 (j)	Walk, stand, or sit on or in any flower or shrub bed	\$ 200.00	\$ 300.00
5.9 (k)	Walk where walking not permitted	\$ 200.00	\$ 300.00
5.9 (l)	Modify ground or erect unsafe ramp or feature	\$ 500.00	\$ 750.00
5.9 (m)	Remove or alter access to Park	\$ 150.00	\$ 250.00
5.10	Leave Trail in Environmentally Sensitive Area	\$ 250.00	\$ 350.00
5.11	Littering	\$ 250.00	\$ 500.00
5.12 (a)	Use water balloons	\$ 250.00	\$ 500.00

SECTION	SHORT TITLE OF OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
5.12 (b)	Release a rising balloon	\$ 250.00	\$ 500.00
5.12 (c)	Deposit grass clippings or tree debris in Park	\$ 250.00	\$ 500.00
5.12 (d)	Deposit pet waste or compost material in Park	\$ 250.00	\$ 500.00
5.12 (e)	Deposit chemicals or pesticides in Park	\$ 250.00	\$ 500.00
5.12 (f)	Store or leave construction equipment in Park	\$ 400.00	\$ 500.00
5.12(g)	Dispose of ashes in a Park without a Permit	\$ 50.00	\$ 75.00
5.13 (a)	Use body of water adjacent to or in a Park for improper purpose	\$ 300.00	\$ 500.00
5.13 (b)	Operate a boat or person-propelled or watercraft on a Waterbody where not authorized	\$ 150.00	\$ 250.00
5.14	No lifejacket on South Saskatchewan River or a creek	\$ 300.00	\$ 350.00
5.15 (a)	Swimming at Swim Lake at Echo Dale Regional Park after-hours	\$ 200.00	\$ 250.00
5.15 (b)	Allow Child unaccompanied by adult to swim at Swim Lake at Echo Dale Regional Park	\$ 300.00	\$ 600.00
5.15 (c)	Allow Animal in the water or on the Beach sand at Echo Dale Regional Park	\$ 50.00	\$ 100.00
5.15 (d)	Bring glass onto the Beach or into the Swim Lake at Echo Dale Regional Park	\$ 150.00	\$ 200.00
5.15 (e)	Fail to comply with direction of City	\$ 300.00	\$ 500.00
5.15 (f)	Use unsafe or hazardous floating object	\$ 250.00	\$ 300.00
5.16	No lifejacket on specified Waterbodies	\$ 300.00	\$ 350.00
5.17	Fishing at the Swim Lake at Echo Dale Regional Park	\$ 300.00	\$ 350.00
5.18	Ice Fishing Where Prohibited	\$ 300.00	\$ 350.00
5.19 (a)	Start a fire outside of fireplace, fire pit, or other fire receptacle provided by the City for that purpose	\$ 500.00	\$1500.00
5.20	Start a fire during a fire ban	\$ 500.00	\$1500.00
5.21 (a)	Allow a fire to get out of control	\$ 500.00	\$1500.00
5.21 (b)	Allow a fire to burn after 2230h	\$ 200.00	\$ 300.00
5.21 (c)	Throw or place burning material upon ground	\$ 300.00	\$ 500.00
5.21 (d)	Remove firewood from City-supplied source for improper purpose	\$ 100.00	\$ 200.00
5.21 (e)	Burn things which may emit noxious fumes when burned	\$ 300.00	\$ 500.00
5.21 (f)	Leave a fire unattended	\$ 500.00	\$1500.00
5.21 (g)	Leave fire before completely extinguished	\$ 500.00	\$1500.00

SECTION	SHORT TITLE OF OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
5.21 (h)	Dispose of coals or embers not in a City approved receptable	\$ 500.00	\$1500.00
5.22	Camp in undesignated area	\$ 150.00	\$ 250.00
5.23 (a)	Play hockey in undesignated area	\$ 100.00	\$ 150.00
5.23 (b)	Ride horseback in undesignated area	\$ 100.00	\$ 150.00
5.23 (c)	Toboggan in undesignated area	\$ 100.00	\$ 150.00
5.25 (a)	Place or spread cremated remains in Park	\$ 250.00	\$ 500.00
5.25 (b)	Sell, display, or distribute goods or services	\$ 300.00	\$ 500.00
5.25 (c)	Distribute handbills or circulars	\$ 300.00	\$ 500.00
5.25 (d)	Carrying on commercial activities	\$ 300.00	\$ 500.00
5.25 (e)	Taking part in commercial performance	\$ 300.00	\$ 300.00
5.25 (f)	Discharging fireworks, firecrackers or explosives in a Park	\$ 500.00	\$ 500.00
5.25 (g)	Carrying or discharging firearm in a Park	\$ 750.00	\$1500.00
5.27	Allowing Livestock into Park	\$ 150.00	\$ 200.00
5.28	Take part in public gathering for which no Permit has been issued	\$ 100.00	\$ 150.00
5.29	Give a public address or operate loudspeaker without Permit	\$ 100.00	\$ 150.00
6.1	Encroachment on a Park	\$ 750.00	\$1500.00
6.3	Failure to comply with order of City Manager regarding an Encroachment	\$ 750.00	\$1500.00
7.1 (a)	Erect a Sign contrary to the Land Use Bylaw and/or Election Campaign Sign Guidelines	\$ 150.00	\$ 200.00
8.1	Operate a Drone in a Park	\$ 150.00	\$ 250.00
9.1	Speeding on a Bicycle or in a Vehicle in a Park	\$ 300.00	\$ 350.00
9.2 (a)	Unauthorized operation of a Vehicle in a Park	\$ 250.00	\$ 350.00
9.2 (b)	Unauthorized parking of a Vehicle in a Park	\$ 150.00	\$ 250.00
9.2 (c)	Park a Vehicle on a Park Roadway in a Park where prohibited by a traffic control device	\$ 150.00	\$ 250.00
9.2 (d)	Leave Vehicle in a Park between 2300h and 0500h	\$ 200.00	\$ 250.00
9.2 (f)	Disobey a flagger, City employee, or Bylaw Enforcement Officer who is directing traffic	\$ 300.00	\$ 500.00
9.3 (a)	Ride a Bicycle, Wheeled Conveyance, E-Bike or E-Scooter in undesignated area	\$ 250.00	\$ 350.00
9.3 (b)	Ride a Bicycle or Wheeled Conveyance at an unreasonable speed in the circumstances	\$ 300.00	\$ 350.00
9.3 (c)	Operate a Bicycle, Wheeled Conveyance, E-Bike or E-Scooter in unsafe manner	\$ 300.00	\$ 350.00
9.4	Ride a Bicycle without required safety features	\$ 250.00	\$ 300.00

SECTION	SHORT TITLE OF OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
9.7	Ride a Bicycle, E-Bike, or E-Scooter on a Trail where not authorized	\$ 150.00	\$ 250.00
9.10	Ride an E-Bike or E-Scooter unequipped with required warning devices	\$ 300.00	\$ 350.00
10.1 (b)	Failure to comply with Permit conditions	\$ 250.00	\$ 350.00
10.1 (c)	Failure to produce Permit upon demand	\$ 100.00	\$ 150.00
12.2	Failure to leave or stay out of Park as directed	\$ 200.00	\$ 250.00
12.3	Failure to obey direction to stop displaying, using, or consuming a controlled substance in a Park	\$ 25.00	\$ 50.00
13.1	Interference with a Bylaw Enforcement Officer	\$ 25.00	\$ 50.00