

BYLAW NO. 2015 – 03

FACILITY-USE BYLAW

LAC PELLETIER REGIONAL PARK

TABLE OF CONTENTS

PART I	INTRODUCTION	1
PART II	DEFINITIONS	2
PART III	BYLAWS	3
	A. GENERAL	3
	B. PENALTY CLAUSES	4
PART IV	REPEAL AND EFFECTIVE DATE OF BYLAW	5

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PART I: INTRODUCTION

1. Authority

- (a) Pursuant to section 13 of The Regional Parks Act, 2013, the Lac Pelletier Regional Park Authority, hereby enacts this Facility-Use Bylaw.

2. Title

- (a) This Bylaw shall be known as the "Facility-Use Bylaw" of the Lac Pelletier Regional Park.

3. Scope

- (a) This Facility-Use Bylaw shall apply to the whole of the Lac Pelletier Regional Park.

4. Purpose

- (a) The purpose of the Facility-Use Bylaw shall be:
- (i) To regulate the use of facilities in the Lac Pelletier Regional Park; and
 - (ii) To provide for the health, protection, safety and general welfare of persons within Lac Pelletier Regional Park.

PART II: DEFINITIONS

In this Bylaw, the following words and terms shall have the indicated meaning, unless otherwise indicated elsewhere in the Bylaw:

BYLAW means the Lac Pelletier Regional Parks Bylaw.

FACILITY-USE AREA means a location within the Park where development of fixtures, buildings and facilities for public use are found.

FACILITY-USE PERMIT means a valid and subsisting permit to use a facility-use area and which is issued pursuant to this Bylaw.

OCCUPY means to reside in, to hold or dwell in, or on, or to use an area for any period.

PARK means the area that is designated as Lac Pelletier Regional Park.

PARK AUTHORITY means the people who are, from time to time, appointed for the purpose of carrying out the management and administration of the Lac Pelletier Regional Park.

PARK ENTRY PERMIT means a valid and subsisting permit to enter the Park.

PARK OFFICER means any member of the Park Authority, as well as any person employed by the Park Authority for the Administration and Management of the Park, and the enforcement of this Bylaw within that area.

PEACE OFFICER shall have the same meaning as defined in the Criminal Code of Canada.

PERSON or **PERSONS** means any individual, business, partnership, firm, corporation, or occupant of the Park.

POLICE OFFICER shall mean any member of the Royal Canadian Mounted Police.

PART III: BYLAWS

A. GENERAL

1. The Park Authority may designate any area of park land or facility within the Park as a facility-use permit area.
2. Where the Park Authority designates a facility – use permit area, the Park Authority may have signs posted identifying the area as a facility – use permit area.
3. No person shall enter, use or occupy a facility – use permit area unless that person holds a facility – use permit or is an authorized invitee of a person holding a facility-use permit issued by the Park Authority.
4. A facility-use permit is not transferable and has no cash surrender value upon loss or cancellation for any reason.
5. The Park Authority may issue a facility – use permit to an applicant who pays the fee set by the Park Authority, and include in the facility – use permit any terms and conditions that the Park Authority considers appropriate.
6. A facility – use permit is valid only for the period of time, and with respect to the area or facility specified in the permit.
7. The holder of a facility-use permit and all persons occupying the facility under the permit shall:
 - (a) maintain the facility in a clean state;
 - (b) comply with all terms and conditions specified in the facility-use permit; and
 - (c) comply with all other relevant Bylaws of the Park Authority, including but not limited to, the Waste and Litter Bylaw and the Sewer and Septic Bylaw.
8. The holder of a facility – use permit shall keep the permit available for inspection at all times, and produce it for inspection when requested by a Park Officer, Peace Officer or Police Officer.
9.
 - (a) the Park Authority may take adequate precautions, to ensure that the required facility-use permit has been acquired, and that no person shall use the area or facility contrary to that purpose; and
 - (b) the Park Authority, a Park Officer, Peace Officer or Police Officer shall not be liable for any damage occurring as a result of measures taken to ensure that a facility – use permit has been secured.
10. A facility-use permit does not allow entry into the Park; users must also have a park entry permit.

11. Any person who is in possession of a valid facility-use permit for a facility-use area and is asked to leave the Park or Facility-Use Area by a Park Officer, Peace Officer, or Police Officer is deemed to have his/her facility-use permit and park entry permit cancelled, and upon such cancellation shall be prohibited from entering the Park until he/she lawfully obtains a new park entry permit from a Park Officer.
12. If a facility-use permit includes camping privileges the Rules of Camping and Bylaws relating to camping apply to the users of the facility pursuant to the facility-use permit.
13. Unless otherwise stated, any Act and regulations referred to in this Bylaw shall include any amendments to the legislation and regulations and any legislation and regulations proclaimed successive to that specifically referred to herein.

B. PENALTY CLAUSES

General Penalty Clause:

14. (a) Any person who contravenes any provision of these Bylaws is guilty of an offence punishable on summary conviction by a fine in an amount not exceeding:
 - (i) \$2,000 (Two Thousand Dollars) in the case of an individual;
 - (ii) \$5,000 (Five Thousand Dollars) in the case of a public corporation;or, in default of payment by an individual, by imprisonment for a term of not more than 30 (thirty) days.

Voluntary Penalty Clause:

15. Any person who contravenes any of the provisions of the Bylaw, may be, at the discretion of the officer, subject to a voluntary penalty as listed:
 - (a) Section 3 = \$50.00;
 - (b) Section 7 (a) to (c) = \$50.00

PART IV: REPEAL AND EFFECTIVE DATE OF BYLAW

1. Repeal

(a) Bylaw 1997, sections 5 to 11, as amended, shall be repealed upon Bylaw 2015-03 coming into force and effect.

2. Park Authority Readings and Adoption

Introduction this 6th day of July, 2015

Read a first time this 6th day of July, 2015

Read a second time this 6th day of July, 2015

Read a third time this 26th day of October, 2015

Adoption of Bylaw this 26th day of October, 2015



Chairperson



Secretary