BYLAW NO. 2015 – 12

GENERAL PROHIBITIONS

LAC PELLETIER REGIONAL PARK

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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 General Prohibition Bylaw.

2. Title

   (a) This Bylaw shall be known as the "General Prohibition Bylaw" of the Lac Pelletier Regional Park.

3. Scope

   (a) This General Prohibition Bylaw shall apply to the whole of the Lac Pelletier Regional Park.

4. Purpose

   (a) The purpose of the General Prohibition Bylaw shall be:

      (i) To provide for the protection and safety of property within the Lac Pelletier Regional Park; and

      (ii) To provide for the health, protection, safety and general welfare of Regional Park;

      (iii) To provide for fire protection within the Lac Pelletier Regional Park;

      (iv) To provide for the regulation of aircraft within Lac Pelletier Regional Park; and

      (v) To regulate the sale and setting off of fireworks 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:

AIRCRAFT means any machine supported for flight in the air by buoyancy or by the dynamic action of air on its surfaces, and includes but is not limited to powered airplanes, gliders, and helicopters.

BYLAW means the Lac Pelletier Regional Park Bylaws.

CAMPSITE means an area within a public campground, designed and developed to accommodate a family or a specified number of persons in one camping unit.

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

FIREWORKS means fireworks as defined in the Explosives Regulations, C.R.C. c. 599.

HIGH HAZARD FIREWORKS means subdivision 2 of Division 2 fireworks as defined in the Explosive Regulations, C.R.C., c. 599.

LOW HAZARD FIREWORKS means subdivision 1 of Division 2 fireworks as defined in the Explosives Regulations, C.R.C. c. 599.

OPEN FIRE means any fire which is not contained within a barbeque, outdoor fireplace, fire pit as permitted by this Bylaw, or other container approved in this Bylaw.

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

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 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.

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

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

WASTE means anything, other than hazardous waste, that is discarded during the use of a campsite, leased lot or business property and that is eligible for collection through the Park's waste management system.

YARD WASTE means waste from gardening or horticultural activities and includes grass clippings, leaves, plants, and tree and shrub branches.

PART III: BYLAWS

A. GENERAL

1. The Park Authority may specify or designate any area in the Park on which the landing of aircraft shall be prohibited or restricted.

2. No person shall land or park an aircraft in the Park or in water adjacent to the Park without specific authorization from the Park Authority.

3. No person shall have an open fire within the Park, including but not limited to a fire for the burning of yard waste.

4. The Park Authority may impose a fire ban within the Park at their discretion at which time no person shall ignite or allow a fire, unless specifically allowed by this Bylaw during fire bans, within the Park.

5. Fires are allowed within stationary barbeques subject to the following:

    (a) The stationary barbeque is fueled by propane, natural gas, electricity or charcoal briquettes;

    (b) The stationary barbeque is in good repair;

    (c) The stationary barbeque is used according to manufacturer's instructions;

    (d) The stationary barbeque is not used for the purposes of burning waste, yard waste, or any other material;

    (e) The stationary barbeque does not emit smoke or sparks so as to create a nuisance to other patrons of the Park;

    (f) The stationary barbeque, when lit, is a sufficient distance from all combustible material;

    (g) All federal and provincial laws and all Park Bylaws governing the used an storage of fuel for stationary barbeques are followed; and

    (h) A competent person is in charge of the stationary barbeque at all times while it is lit and it must not be left unattended when lit.

6. Except during a fire ban, fires are permitted within campsites and facility-use areas subject to the following:
    (a) The fires are entirely contained in fire pit for that campsite or facility-use area provided by the Park Authority;

(b) The fire pits are more than 10 feet from all buildings, camping units, and combustible materials;

(c) The fire pits are used to burn only clean dry wood or charcoal;

(d) The fire pits are not used to burn waste or yard waste;

(e) The fire pit does not emit smoke or sparks so as to create a nuisance to other patrons of the Park;

(f) A fire shall not be ignited in a fire pit during windy conditions which may cause a danger to persons or property by causing a running fire or nuisance to other patrons in the Park; and

(g) A competent person is in charge of the fire at all times until it is properly extinguished.

7. Except during a fire ban, fires are permitted within leased lots that are entirely contained in fire pits or outdoor fireplaces subject to the following:
   (a) The fires are entirely contained in a fire pit or outdoor fireplace;

   (b) The fire pit or outdoor fireplace is more than 10 feet from all buildings, leased lot property lines, and combustible material;

   (c) The fire pit or outdoor fireplace is constructed of suitable non-combustible material;

   (d) The fire pit or outdoor fireplace is used to burn only clean dry wood or charcoal;

   (e) The fire pit or outdoor fireplace is not used to burn waste or yard waste;

   (f) The fire pit or fireplace does not emit smoke or sparks so as to create a nuisance to other patrons of the Park;

   (g) A fire shall not be ignited in a fire pit or outdoor fireplace during windy conditions which may cause a danger to persons or property by causing a running fire or nuisance to other patrons in the Park;

   (h) A competent person is in charge of the fire at all times until it is properly extinguished; and

   (i) Only one fire is allowed on each leased lot at any time.

8. No person shall discharge any high hazard fireworks without:
   (a) Holding a valid Fireworks Supervisor – Level I or Level II card issued by Natural Resources Canada;

   (b) Obtaining a permit from the Park Authority which may be given at their discretion;

(c) Discharging the fireworks pursuant to any terms and conditions of the permit; and

(d) Following all federal and provincial laws and regulations regarding the discharging, handling, and storage of high hazard fireworks.

9. No person shall discharge any low hazard fireworks unless:
   (a) The person is over the age of 18;

   (b) All discharging of fireworks is done in a safe manner and according to manufacturer's recommended usage;

   (c) The discharging is done in an area free from trees or other combustible material;

   (d) The discharging is done pursuant to all federal and provincial laws and regulations;

   (e) The discharging is done during appropriate weather conditions with no danger to persons or property; and

   (f) The discharging is done only in designated areas in the Park.

10. The Park Authority, a Park Officer, Peace Officer or Police Officer shall not be liable for any damage or injury occurring as a result of persons undertaking any of the activities within this Bylaw whether allowed by the Bylaw.

11. Except as may be authorized by the Park Authority, in writing, or by an erected sign:
   (a) no person shall tamper with, deface, cut into, write upon or otherwise disfigure or destroy any natural rock formation, soil, tree, timber, bridge, building, set, or any other structure within any area of the Park, including any daily camping area, seasonal/permanent camping area, cottage subdivision, golf course, or beach area.

   (b) no person shall remove, deface, or destroy any notice or sign posted in the Park.

12. No person shall enter or proceed upon grass, lawn, turf, seedbed or other plot or area contrary to a sign or prohibition.

13. No person shall use or deposit any foreign material, chemicals, sand gravel, dirt, pollutants, contaminants, or any other substance in or along the shores of the lake which could pollute, damage or destroy the fish, birds, animals, or other wildlife species or their habitat.

14. No area of the Park may be used in such a way as to pollute, contaminate or cause other injury to the swimming facilities.

15. 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:

16. (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:

17. 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 2 = $100.00;
    (b) Section 3 = $100.00;
    (c) Section 4 = $100.00;
    (d) Section 5 (a) to (h) = $100.00;
    (e) Section 6 (a) to (g) = $100.00;
    (f) Section 7 (a) to (l) = $100.00;
    (g) Section 8 (a) to (d) = $100.00;
    (h) Section 9 (a) to (f) = $100.00;
    (i) Section 11 (a) and (b) = $100.00;
    (j) Section 12 = $100.00;
    (k) Section 13 = $100.00;
    (l) Section 14 = $100.00.

PART IV: REPEAL AND EFFECTIVE DATE OF BYLAW

1. Repeal

   (a) Bylaw 1997, sections 76 to 85, as amended, shall be repealed upon Bylaw 2015-12 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