

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 356

(consolidated for convenience to include up to Bylaw 356.4)

A Bylaw establishing regulations covering the management, maintenance, operation, and use of any real or personal property in a regional park or regional trail within the Sunshine Coast Regional District.

The Sunshine Coast Regional District Board in open meeting assembled enacts as follows:

DEFINITIONS IN THIS BYLAW:

1. "beach area" means any area within a regional park designated as a beach area by the Regional Parks Committee or Parks Superintendent.

"natural park feature" means any tree, shrub, herb, flower, grass, turf or plant of any kind; soil, sand, silt, gravel, rock, mineral, wood, fallen timber or other park material.

"park" means any park as defined in this bylaw.

"park officer" means any employee or caretaker of the Sunshine Coast Regional District carrying on the duties of the Sunshine Coast Regional District.

"park permit" means a permit issues under Section 42 of this bylaw.

"park use permit system policy" means the Park Use Permit System Policy, together with Park Use Permit Fee Schedule and Designated Group Picnic Sites, attached to this bylaw as Schedule "A", which forms part of this bylaw.

"Parks Superintendent" means the Regional Parks Superintendent duly appointed by the Regional Parks Committee and also any person lawfully acting in that capacity.

"picnic area" means any area within a regional park designated as a picnic area by the Regional Parks Committee or Parks Superintendent. Such picnic area will be marked by signs.

"regional parks committee" means the Parks Committee of the Sunshine Coast Regional District.

"special event" means any event or activity conducted within a park or trail which attracts or is intended to attract participants or is intended to attract participants or spectators, and, for greater certainty includes a festival, sport competition, tournament, group picnic, rowing regatta, horse show or dog show. A park permit is required for all special events.

"trail" means any footpath, pathway, trail or area of land held in fee simple or by lease as a registered easement or right-of-way by the Sunshine Coast Regional District and dedicated as a regional trail under this bylaw.

"wildlife" means any wild animal.

RESPONSIBILITY AND AUTHORITY

2. The management, maintenance, operation, and use of parks and trails shall be the responsibility of the regional district.
3. The Parks Superintendent and/or his appointee shall have the authority to enforce this bylaw and may delegate the enforcement of this bylaw to park officers.
4. Any park officer may order any person who, in their opinion, behaves in contravention of this bylaw to leave any park, trail, building or structure located in any park, immediately or within a period specified by the park officer, and every person ordered to leave under this Section shall comply with the order of the park officer and leave the park, trail, building or structure immediately or within the specified period.
5. Peace Officers, Conservation Officers, Sunshine Coast Regional District Animal Control Officers, and Sunshine Coast Regional District Bylaw Enforcement Officers also have authority to enforce this bylaw in the course of their duties.
6. The Regional Parks Committee has the authority to require a fee or rent from any person who enters into a license, lease, permit, or agreement with the Regional District.

PENALTY

7. Any person who contravenes the provisions of this bylaw is guilty of an offence and, on summary conviction, is liable to a fine of not less than \$50.00 and not more than \$2,000.00.

PUBLIC CONDUCT

8. No person shall obstruct or interfere with any person or traffic lawfully using a park or trail.
9. No person shall conduct himself or herself in a disorderly or offensive manner in a park or trail.

10. No person shall in a park or trail make or cause noises or sounds which disturb or tend to disturb the quiet, peace, enjoyment, and comfort of persons in the vicinity, including the playing of radios, tape players, compact disc players or similar devices.
11. No person other than a concessionaire-lessee, or the house guests of a resident-caretaker or tenant of the Regional District, or persons possessing a park permit issued by the Parks Superintendent, shall enter upon or otherwise remain within any park or trail for any purpose whatsoever between the hours specifically posted as curfew hours at the entrance to the particular park or trail, or, where no hours are posted, between the hours of 11:00 p.m. to 5:00 a.m. Those persons possessing a park permit shall be allowed to remain and use parklands and facilities as specified in their permit, after which time they shall leave the park or trail without any appreciable delay.
12. The Parks Superintendent, or any park officer acting on their behalf, may cause signs or other devices, delineating areas on which specific activities may be practised or are prohibited, to be erected in any park or trail.
13. Every person within the boundaries of any park or trail shall observe and obey every statute, regulation and policy, and every prohibition or restriction announced by sign or other device applicable to that park or trail.

PRESERVATION OF NATURAL FEATURES, WILDLIFE AND PARK FACILITIES

14. No person shall remove, destroy or wilfully damage any natural park feature, park facility, structure or sign, or in any way foul or pollute any fountain, lake, stream, pond, watercourse or any park property whatsoever.
15. No person shall remove, destroy or damage any notices, rules or regulations posted in a park or trail on approval of the Regional Parks Committee or Parks Superintendent.
16. No person shall light or keep lit any fire in a park or trail except in designated areas or where authorized by the parks board or Parks Superintendent.
17. No person shall deposit any garbage, sewage, refuse, empty or broken bottles, tin cans, paper or other waste material in a park or trail except in receptacles provided for such purposes; in addition, no person shall carry, transport or deposit any domestic, commercial or industrial waste, refuse or garbage of any kind into or upon any park or deposit the same into park waste receptacles.
18. No person shall light or keep lit any fire in a park or trail except in designated areas or where authorized by the Parks Superintendent in writing or by permit.

19. No person shall throw or place upon the ground any lighted match, cigar, cigarette or other burning substance in a park or trail.
20. No person shall cut down any tree(s) or cut dead and down firewood or carry out any logging operation or facilitate such operation in a park or trail except where authorized by the Parks Superintendent in writing.
21. No person shall ride any bicycle in a park or trail except on public roads and trails designated for such use.
22. No person shall conduct orienteering activities off any trails in a park or trail except in designated areas or where authorized by the Parks Superintendent in writing or by permit.

ANIMALS IN PARKS

23. No person shall ride, walk or drive any horse on beaches, picnic areas or hiking trails except on public roads and trails designated for such use.
24. No person shall permit any dog or other animal to run at large within any park not under the control of a leash of not more than three meters in length.
25. No person shall permit any animal owned by or under the care and control of that person to graze or roam at large in any park.
26. Any park officer may require the owner or custodian of any animal to restrain or remove such animal from a park or trail and any person is prohibited from disobeying an order of a park officer under this section.
27. The Parks Superintendent may define any area or areas within any park in which the presence of dogs, horses or other animals is prohibited, and no person shall take into or have under his charge in any such area any prohibited animal. Such areas will be marked by signs.

FIREARMS AND HUNTING

28. No person shall discharge any firearm, bow or crossbow without permit in a park or trail other than a Peace Officer or a Conservation Officer acting in the course of his duties.

BEACH AND PICNIC AREAS

29. No person shall use any watercraft or fishing device in the vicinity of any swimming beach in any park in such a manner as to endanger persons or property or otherwise interfere with the safe and free use of the water for bathing or swimming purposes.
30. No person shall swim/dive in any area so posted.

BOAT TRAFFIC

31. No person shall operate any motorized or non-motorized watercraft within any posted swimming area.
32. No person shall launch or remove trailerd watercraft from any body of water except in designated areas.
33. Gas powered motors shall only be permitted in Sakinaw Lake and Ruby Lake.

VEHICLES AND MOTORIZED TRAFFIC

34. No person shall drive or propel, or permit to be driven or propelled, any type of motorized vehicle except on public roadways or parking lots in any park or trail.
35. No person shall park or permit to be parked a motorized vehicle except in parking lots and along public roadways in any park or trail. Vehicles parked in areas specifically signed as "No Parking Area - Tow Away Zone" and vehicles left unattended for more than 24 hours will be towed away at the owner's expense by order of any Peace Officer for the purpose of enforcement of the Motor Vehicle Act and control of traffic within parks. Any Peace Officer is also permitted to ticket illegally parked vehicles in accordance with the Motor Vehicle Act.
36. No person shall in any park or trail use car parks or other areas for overnight accommodation in a tent, car, camper or in any other manner except by permit.
37. The Parks Superintendent may, if in their opinion it is necessary for public safety and convenience, cause the erection of appropriate signs closing any road or roads or other areas within any park to public use, and may limit the speed at which vehicles may be operated on any road within any park.

38. The Parks Superintendent, or any park officer acting on their behalf, may, if authorized by the Minister of Transportation and Highways, cause signs or other traffic control devices in use by the Ministry of Transportation and Highways to be erected in any park or trail.

COMMERCIAL SERVICES, ACTIVITIES OR DEMONSTRATIONS

39. No person shall sell, expose or display for sale any goods or materials including refreshments or conduct any business in a park or trail except where authorized by the Regional Parks Committee in writing or by permit.
40. No person shall post, paint, or distribute any advertisement, sign, placard or handbill of any kind whatsoever in a park or trail except where authorized by the Parks Superintendent in writing or by permit.
41. No person shall operate or station any commercial vehicle or any vehicle displaying advertising or equipped with a public address system in any park or trail for the purpose of advertising, demonstration or attracting attention except where authorized by the Parks Superintendent in writing or by permit.

PARK PERMITS

42. No person shall conduct or carry on any special event, commercial service, activity or demonstration, or remain within any park or trail during curfew hours or do anything of a similar nature in any park or trail except where authorized by the Parks Superintendent in writing or by permit.
43. No person shall build, or place any temporary structure in a park or trail except where authorized by the Parks Superintendent in writing.
44. No person shall build, or place any permanent structure in a park or trail except where authorized by the Parks Superintendent in writing.
45. The Parks Superintendent may issue to a person a permit for an activity or event for which, by this bylaw a person requires a permit, if
- (a) the proposed activity or event will comply with Section 4, "Terms and Conditions" of the park use permit system policy, and
 - (b) the fee prescribed by Schedule 1 of the park use permit system policy has been paid.

- 46.** The Parks Superintendent may
- (a) refuse to issue a permit to a person who has previously contravened this bylaw, and
 - (b) revoke a permit if the authorized activity or event is being conducted in a manner which contravenes this bylaw.
- 47.** The holder of a permit is solely responsible for the conduct of the activity or event authorized by the permit and neither the Sunshine Coast Regional District nor any of its officers, employees, officials, agents, servants or representatives accepts or assumes any responsibility for any claims, actions, costs, expenses or demands in respect to death, injury, loss or damage to persons or to property, howsoever caused, arising out of, or in connection with, an activity or event for which a permit has been issued.
- 48.** This Bylaw may be cited as "Sunshine Coast Regional District Regional Parks Regulation Bylaw No. 356, 1991."

SCHEDULE A OF SCRD BYLAW NO. 356

SCHEDULE "A" OF SCRD BYLAW NO. 356

PARK USE PERMIT SYSTEM POLICY

1. Purpose

The purpose of a park use permit system is to enable the Regional Parks Department to control and manage the use of regional parks by commercial businesses and non-profit groups and organizations so that the services, activities or events provided or held by them do not have a negative impact on resources, facilities, operation and the general publics' use of a regional park.

2. Objectives

- (a) To issue park use permits that are consistent with the Official Regional Parks Plan, the Regional Parks Regulation Bylaw and any approved Master Plans.
- (b) To apply the park use permit in such a manner that it is straight forward and will not discourage use of regional parks.
- (c) To enhance the experience in regional parks for organized park users.
- (d) To ensure the Regional District is reimbursed for any damages caused by permittees.
- (e) To allow the Regional Parks Department to recover a fair return for the use of public land and to recover some administrative and operational costs.
- (f) To enable the Regional District the right to refuse a permit to a commercial business, group or organization because of a previous violation or park regulations or permit.
- (g) To collect visitor use data.
- (h) To use the permit as a public information tool.

3. Application

Park use permits apply to the temporary use by public groups and businesses of regional park land and facilities which are constructed, maintained and operated by the Regional Parks Department. Where a group/organization use park land for recreation activities and events and have constructed and operate and maintain facilities in conjunction with the recreational activity this use shall be administered and managed through a License of Occupation.

A park use permit will be required for the following:

- (a) Anyone who intends to provide a commercial service or hold a commercial activity or event;
- (b) A non-profit group/organization who intends to provide a service or hold or sponsor an activity; and
- (c) A non-profit group/organization who intends to hold or sponsor an event or activity for which no fee is charged; and
- (d) A person or group who intends to advertise, demonstrate or attract attention.

Individual use and casual use by clubs for walking, hiking and nature appreciation outings will not

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require a park use permit.

4. Terms and Conditions

The following terms and conditions shall apply:

- (a) The use associated with the service, activity or event must be an appropriate recreational activity.
- (b) An appropriate recreational activity is one which:
 - i. is dependent upon a natural setting; and
 - ii. encourages an appreciation and enjoyment of the natural environment; and
 - iii. is compatible with other park uses.
- (c) Commercial services, activities or events must be program oriented, personal services such as guided programs or recreational activity rentals or instruction. Each proposed service will be assessed according to the criteria identified below:
 - i. The service, activity or event is an "appropriate recreational activity";
 - ii. The service, activity or event is not able to be operated effectively outside the park boundary;
 - iii. The business has demonstrated previous, successful operation and have a proven record and credentials for safety and insurance;
 - iv. All business licences and standards required by the municipality are up to date;
 - v. The location used is selected with a sensitivity to the parks resources and the experience of other park visitors;
 - vi. No facilities, permanent or temporary, are associated with the service or activity.
- (d) Competitions will be considered as special events and are subject to all appropriate policies. This will include competitions held by commercial businesses and non-profit groups and organizations.
- (e) If park rules are not respected, disorderly or destructive conduct noticed, the Sunshine Coast Regional District Parks Department reserves the right to deny any commercial business, non-profit group or organization or any person use of a regional park in subsequent requests.

5. Permit Fees

The park use permit fee structure is outlined in Schedule 1.

6. Administration

- (a) The permit shall be administered by the Regional Parks Superintendent.
- (b) The permit system and associated fee structure will be reviewed by the Regional Parks Committee in November of each year.

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- (c) Applications for large community events will be forwarded to the Regional Parks Committee for review prior to issuing a permit.

SUNSHINE COAST REGIONAL DISTRICT

**BYLAW NO. 356
SCHEDULE "1"**

**Park Use Permit Fee Schedule
(Inclusive of tax)**

1. Hall Rentals

Charge by the hour

Rentals must include set-up, take down and cleanup of event

| | 2013 | 2014 | 2015 | 2016 |
|--|----------|----------|----------|----------|
| Neighbourhood and Community Groups (youth activities, societies, charities & community bookings) | \$ 6.00 | \$ 7.50 | \$8.00 | \$ 8.00 |
| Private (weddings, meetings, birthdays) | \$13.00 | \$14.00 | \$15.00 | \$15.00 |
| Commercial (yoga, art, instructors, business seminars) | \$13.00 | \$16.00 | \$18.00 | \$20.00 |
| Damage Deposit for Rentals | \$150.00 | \$150.00 | \$150.00 | \$150.00 |

Renters must pay a damage deposit prior to confirmation of bookings and usage. Community Groups with ongoing bookings may provide a single damage deposit for a calendar year.

If the Regional District determines that there has been no damage to a facility, the damage deposit will be refunded. In the event of damages to any portion of the facility, the renter will be responsible for all costs of repairing and restoring any damage PLUS a \$30 administration fee. Should the damage deposit be insufficient to make the necessary repairs, the renter will reimburse the Regional District immediately upon written notice.

2. Katherine Lake Campsites

- (1) Tents – per site, per day \$ 18.00
- (2) Recreational Vehicles – per site, per day \$ 22.00

3. Klein Lake Campsites

- (1) All sites – per site, per day \$ 12.00

4. Power Pole Rental @ Roberts Creek Pier

- (1) First day \$ 40.00
- (2) Each consecutive day \$ 20.00

