



# PARK REGULATION BYLAW NO. 915, 2009 (CONSOLIDATED)

Record of Amendments to Park Regulation Bylaw No. 915, 2009

Amending Bylaw No.	Summary of Amendment	Date of Adoption
1040	Sections 9, 20, 24, 25, 26, 27 and 28	July 8, 2013
1060	Sections 2, 4, 17(a), 17(b) and renumbering of following sections	June 16, 2014
1106	Sections 2, 19, 25, renumbering of following sections and Schedule "A"	June 19, 2017
1130	Sections 2, 6, 17(a) and renumbering of following sections	January 21, 2019

CONSOLIDATED TO: January 21, 2019

**VILLAGE OF HARRISON HOT SPRINGS  
BYLAW NO. 915**

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A bylaw to regulate the use of parks, beaches, public areas and boulevards

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**WHEREAS** Section 8 (3) (j) of the *Community Charter* provides that a Council may, by bylaw, regulate, prohibit and impose requirements in relation to the protection of the natural environment;

**AND WHEREAS:** Council deems it desirable to regulate the use of parks, beaches, boulevards and other public areas within the Village of Harrison Hot Springs (the Village);

**NOW THEREFORE,** the Council of the Village of Harrison Hot Springs, in open meeting assembled, hereby enacts as follows:

1. This Bylaw may be cited as the “Park Regulation Bylaw No. 915, 2009”.
2. In this Bylaw, unless the context otherwise requires:

**“Beachfront Lagoon Area”** means the entire sand beach area around the lagoon, southernmost portion of the sand beach up to the grassed area and entire body of water in the lagoon; (AB#1106)

**“Boat”** means paddle boat, sailboat, canoe, kayak or motorboat; (AB#1130)

**“Camping equipment”** means: tents, sleeping bags, knapsacks, or bedrolls; propane or charcoal barbecues, hibachis; or any other form of cooking apparatus;

**“Cannabis”** has the same meaning as in the *Cannabis Act (Canada)*, subject to any prescribed modifications; (AB#1130)

**“Golf Cart”** has the same meaning as defined in the *Motor Vehicle Act of BC*; (AB#1130)

**“Matter”** means any substance that has mass and takes up space by having volume; (AB#1130)

**“Migratory Bird”** means a migratory bird, including Canada Goose, referred to under the *Migratory Birds Convention Act, 1994*, and includes the sperm, eggs, embryos, tissue cultures and parts of the bird; (AB#1106)

**“Mobility device”** means: any wheelchair, motorized scooter or any other device used by physically challenged or cognitively impaired persons;

**“Motor home”** has the same meaning as defined in the Motor Vehicle Act of BC; (AB#1130)

**“Motor Vehicle”** has the same meaning as defined in the Motor Vehicle Act of BC; (AB#1130)

**“Motorcycle”** has the same meaning as defined in the Motor Vehicle Act of BC; (AB#1130)

**“Nest”** means the nest of a migratory bird and includes parts of the nest; (AB#1106)

**“Off-road vehicle”** has the same meaning as defined in the Motor Vehicle Act of BC; (AB#1130)

**“Park”** means any real property owned or subject to a right of occupation by the Village for the purposes of pleasure, recreation or community uses of the public including public parks, playgrounds, public squares, pathways and other public places and all improvements and shall include all beaches and other public areas adjacent to lakes or streams including foreshore or land covered by water; but does not include the travelled portion of a highway. (AB#1060)

**“Public Space”** means any real property or portions of real property owned or subject to a right of occupation by the Village to which the public is ordinarily invited or permitted to be in or on, and includes, but is not necessarily limited to, the grounds of public facilities or buildings, boulevards, sidewalks and public parking lots. (AB#1060)

**“Rendall Park Area”** means the southernmost portion of the sand beach adjacent to Rendall Park including the designated swimming area; (AB#1106)

**“Service or Guide Dog”** means a Dog trained and certified to assist people with mobility impairments or other disabilities; (AB#1106)

**“Structure”** means any structure, fixture, furniture, shelter or apparatus erected for permanent or temporary uses for display, eating, seating, camping, sleeping, staying, storing or residing in. (AB#1060)

**“Trailer”** has the same meaning as defined in the Motor Vehicle Act of BC; (AB#1130)

**“Wild Animal”** means any animal as defined under the Wildlife Act of BC, but does not include domestic animals; (AB#1106)

3. No person shall enter or be upon any beach or park, between the hours of 11:00 p.m. and 6:00 a.m. each day, provided however that nothing in this section shall prevent any officers, employees or agents of the Village from entering or being upon or within any park in the exercise of their duty.

4. *No person shall set up or occupy any camper, trailer, recreational vehicle or other form of temporary structure, fixture, furniture, shelter or apparatus erected for permanent or temporary uses for display, eating, seating, camping, sleeping, staying, storing or residing in, unless an application for Temporary Sidewalk Extension and Licence of Occupation has been approved and executed upon to occupy a municipal public space. (AB#1060)*
5. No person shall carry, place or set up any structure or camping equipment in any park.
6. *No person shall park, store, place or abandon any licenced or unlicenced Boat, Golf Cart, Motor Home, Motor Vehicle, Motorcycle, Off-Road Vehicle, Trailer or other matter on any public land, unless specifically authorized by permit under a Community Event or unless expressly authorized by the Village, and;*  
  
*Where the Village believes a Boat, Golf Cart, Motor Home, Motor Vehicle, Motorcycle, Off-Road Vehicle, Trailer or other matter has been parked, stored, placed or abandoned on public land or in violation of section 6, the Village may have it removed from the land at the owner's expense. (AB#1130)*
7. No person shall remove, take away or deposit any gravel, sand or earth from or onto any part of any beach or park within the Village.
8. No person shall throw any stones, glass, bottles, cans or litter on any beach or park or in the water adjacent to such beach or park.
9. No person shall move, remove any rocks, docks, mooring devices, buoys, rafts, signs or other apparatus from any park or beach or from water adjacent to such park or beach; nor shall any person place any rocks, docks, mooring devices, buoys, rafts, signs or other apparatus on any beach or park or in any water adjacent to any beach or park within the Village unless expressly authorized by the Village. This section shall not apply to employees or agents of the Government of the Dominion of Canada, the Government of the Province of British Columbia, or the Village carrying out their assigned duties.
10. *No person shall kindle, build, light, maintain any fire, barbeque, hibachi or any other form of cooking apparatus that uses wood, charcoal, briquettes or any other form of natural burning product, at any time on any beach or park within the Village. (AB #1040)*
11. No person shall operate paddleboards, kayaks, power boats, sailboats, rowboats, canoes or any other water vehicle, boat or vessel, inside the areas designated by buoys or markers as being restricted to bathing only, or where such operation is permitted at a greater speed than that indicated by signs on said buoys or markers. This section shall not apply to employees or agents of the Government of the Dominion of Canada, the Government of the Province of British Columbia, or the Village carrying out their assigned duties.

12. Any Police Officer, peace officer or Bylaw Enforcement Officer of the Village, or other person duly authorized, may exclude or remove any persons committing any nuisance or disorderly conduct upon any park, beach and public area and may see to it that violators who violate any Bylaws of the Village are removed.
  13. No person shall be on the roof of any building or public structure, in any tree or up on any pole be it flag pole or light pole in any beach or park unless that person is an employee or agent of the Village carrying out his regular duties.
  14. No person shall be in any building, swimming pool, tennis court, or other enclosure or structure in any beach or park except during the hours that said building, swimming pool, tennis court or other structure is authorized to be used or to be open by the Village. This section does not apply to any employee or agent of the Village carrying out his regular duties.
  15. No person shall break, injure or damage the locks, gates, bolts, fences, seats, benches, buildings, structures, or other property placed in beaches, parks, boulevards or other public areas or grounds in the Village.
  16. No person shall wilfully destroy, mutilate, efface, deface, or remove any sign or marker posted under this or any other Bylaw of the Village.
  17. No person shall climb, bark, break, peel, cut, deface, remove, injure, root up or otherwise destroy or damage the trees, shrubs, flowers, roots or grass planted, growing, or being in the public areas, on beaches, on boulevards, or in parks or grounds within the Village.
  18. (a) *No person shall smoke any tobacco, cannabis, electronic cigarette, cigar, cigarello, pipe or ignite any cartridge of nicotine solution, vaporizing system or smoke any substance that replicates a smoking experience in any building, structure, park or public space within the Village of Harrison Hot Springs. (AB#1130)*
  - (b) *No person shall be permitted in any park or public space, to consume or possess open liquor at any time, except where the said liquor is consumed or possessed pursuant to and in compliance with a license issued under the Liquor Control and Licencing Act.*
- In the case where an event has been approved under the Village's Use of Public and Municipal Property Policy and alcoholic beverages are served, the event must be fully secured by an enclosure that separates it from the general public; and, that the carrying of alcohol between businesses, buildings and event locations is prohibited. (AB#1060)*
19. No person shall play or practice the game of golf or similar games played with golf clubs and balls in any beach or park, except in areas of a park that have been designated for the playing and practising of golf or similar games by the Village.

20. *No person shall cause, allow or permit dogs to be:*
- (a) *on the entire sand beach area around the lagoon, southernmost portion of the sand beach up to the grassed area and entire body of water in the beach lagoon, known as the "Beachfront Lagoon Area" as designated and marked in Schedule "A"; and*
  - (b) *on the southernmost portion of the sand beach adjacent to Rendall Park, including the designated swimming area, known as the Rendall Park Area, as designated and marked in Schedule "A";*
- unless the dog is a Service or Guide Dog trained and certified under the Guide Dog and Service Dog Act; (AB#1106)*
21. No person shall ride or drive any horse in, upon, or through any public areas, parks, boulevards or beaches.
22. No person shall ride or drive any carriage, wagon, bicycle, rollerblades, skateboard, motorcycle, scooter, automobile, sleigh, snowmobile, all terrain vehicle or other vehicle or conveyance in or upon any of the public areas, beaches, parks, grounds or boulevards within the boundaries of the Village, except in areas specifically provided for such purposes; provided however, that nothing in this section contained shall prevent any bicyclist, having first dismounted from his bicycle, from taking the same upon the turf, or upon or along any sidewalk, pathway or footpath in any park. This section does not apply to the operation and use of mobility devices used by physically challenged or cognitively impaired Persons.
- Notwithstanding the requirements under this Section, "Special community events", sanctioned by Village Council, and providing public entertainment or community wide competition and involvement, may be permitted provided that the facilities are returned to their former and natural condition immediately upon conclusion of the permitted event.
23. No person shall break, injure, dig or destroy any trees lawfully planted in, or the sod grass of any boulevard, or any box, stake or guard which is placed around any tree for the protection of the same, but such changes of trees or grass may be made as shall be authorized in writing by the Village.
24. No person shall park unhitched trailers, boats, RV's or any other equipment at any boat launch ramp or designated parking area within the Village.
25. *No person shall intentionally feed or attempt to feed, or otherwise use any attractant to encourage the feeding of any wild animal or bird, including a Canada Goose (AB#1106)*

*EXEMPTIONS*

26. *This Bylaw does not apply to the normal use of propane, butane or natural gas fired grills or barbecues for the purpose of cooking food.”*

*LIABILITIES FOR DAMAGES*

27. *This Bylaw shall not be construed to hold the Village or its authorized agents responsible for any damage to persons or property by reason of a propane, butane or natural gas fired grill or barbecue.*

*OFFENCE AND PENALTY*

28. *Every person who violates any provision of this Bylaw, or who allows or permits any act or thing to be done in violation of any provision of this Bylaw shall be guilty of an offence under this Bylaw.*
29. *Every person guilty of an infraction of this Bylaw shall be liable upon summary conviction to a fine not less than \$2,000 and not more than the maximum allowed pursuant to the Offence Act, as amended.*

*SEVERABILITY*

30. *If any portion of this Bylaw is for any reason found invalid by decision of a court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this Bylaw. (AB #1040)*

“Park Regulation Bylaw No. 915, 2009” adopted on the 13<sup>th</sup> day of July, 2009.

Amendment Bylaw No. 1040 adopted on the 8<sup>th</sup> day of July, 2013.

Amendment Bylaw No. 1060 adopted on the 16<sup>th</sup> day of June, 2014.

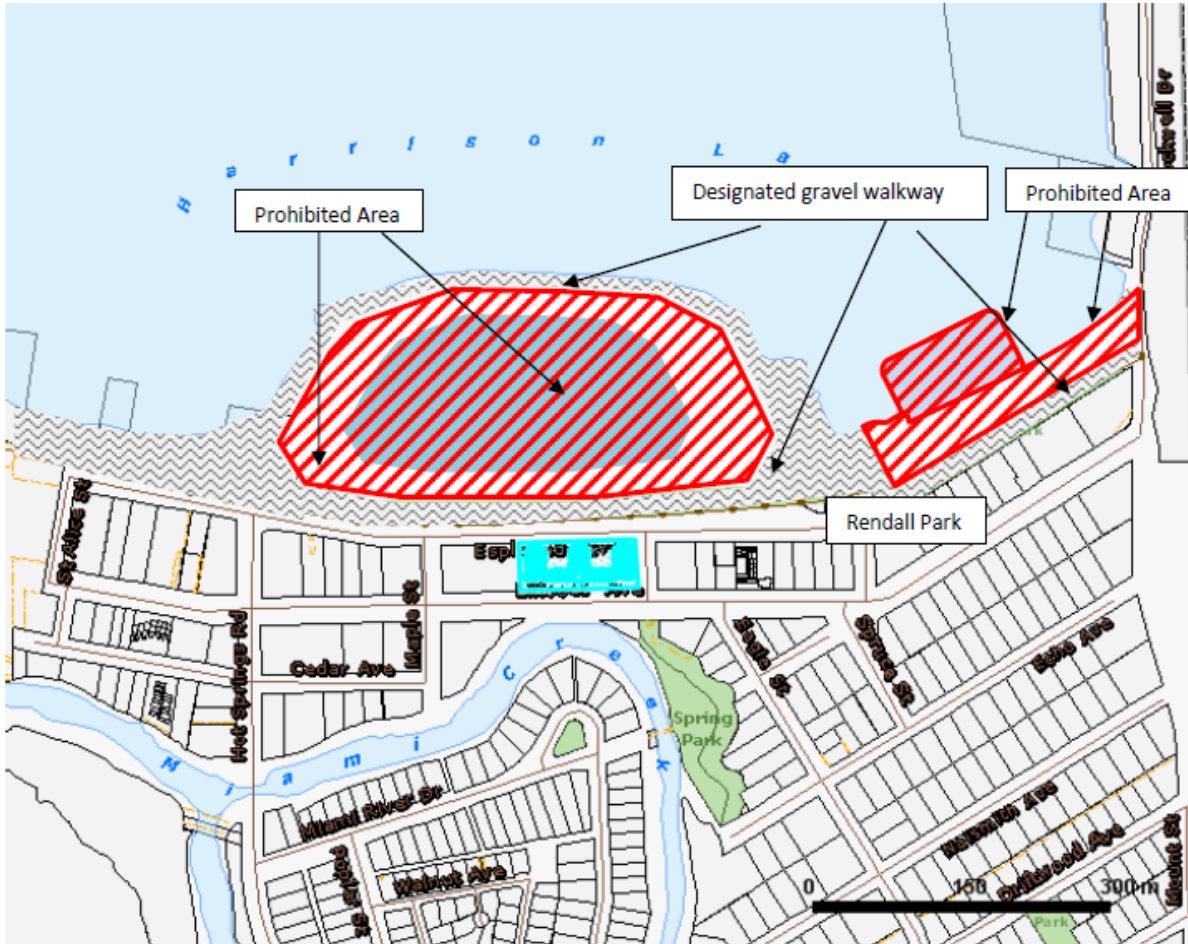
Amendment Bylaw No. 1106 adopted on the 19<sup>th</sup> day of June, 2017.

Amendment Bylaw No. 1130 adopted on the 21<sup>th</sup> day of January, 2019.

“Ken Becotte”  
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Mayor

“Larry Burk”  
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Corporate Officer

SCHEDULE "A"  
(AB#1106)  
Beachfront Lagoon and Rendall Park Prohibited Areas



Prohibited Area – No Dogs Allowed



Designated Gravel Walkway – Dogs Allowed on Leash