



## District of Sicamous

# Parks Regulation Bylaw No. 393, 2000

Effective Date – November 14, 2000

### Consolidated for Convenience Only

This is a consolidated version of the parent bylaw that incorporates changes made pursuant to the following amendment bylaws:

<b>Amendment Bylaw</b>	<b>Effective Date</b>
Bylaw No. 447, 2001	November 26, 2001
Bylaw No. 473, 2002	September 9, 2002
Bylaw No. 496, 2003	May 12, 2003
Bylaw No. 693, 2007	December 12, 2007
Bylaw No. 737, 2008	January 28, 2009
Bylaw No. 801, 2010	November 24, 2010
Bylaw No. 805, 2010	December 8, 2010
Bylaw No. 928, 2017	February 22, 2017

This consolidation is for convenience and reference purposes only. Persons making use of this consolidated version of Bylaw No. 393 are advised that it is not a legal document. For the purposes of interpreting and applying the law, the original Bylaw No. 393 and all amending bylaws must be consulted.

**DISTRICT OF SICAMOUS**

**BYLAW NO. 393**

A Bylaw to make rules and regulations governing the management, operation, control and use of real property held by the municipality for public pleasure, recreation or community use.

**WHEREAS** in compliance with Section 176(1) of the Municipal Act, Chapter 323, RSBC, the Council of the District of Sicamous deems it expedient to make certain rules and regulations governing municipal parks and property;

**NOW THEREFORE** the Council of the District of Sicamous, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as the “***District of Sicamous Parks Regulation Bylaw No. 393, 2000***”.
2. In this Bylaw, unless the context otherwise requires;

“**Council**” means and includes the Council of the District of Sicamous.

The words “**driveway**”, “**roadway**”, “**path**” or “**trail**” means and includes any way or thoroughfare set apart and improved by grading, gravelling or other means for the use of pedestrians, vehicular or other;

“**Parks**” means and includes public parks, playgrounds, driveways, paths, trails, boulevards, beaches, playfields, buildings and other public places under the custody, care, management and jurisdiction of the Council;

“**Bylaw Enforcement Officer**” means the person appointed by the Council to administer the provisions of this bylaw;

“**Liquor**” or “**Alcoholic Beverage**” means (a) fermented, spirituous and malt liquors, (b) combination of liquors, and (c) drinks and drinkable liquids that are intoxicating, and includes beer or a substance that, by being dissolved or diluted is capable of being made a drinkable liquid that is intoxicating and that is declared by order of the Lieutenant Governor in Council to be liquor. *Amending Bylaw No. 473, 2002.*

“**Officers**” means other persons appointed by the Council to administer the provisions of this bylaw, as amended from time to time.

“**Person**” includes any corporation, partnership, firm, association or party;

“**Smoke**” or “**Smoking**” includes the carrying of a lighted cigar, cigarette, pipe or other lighted smoking equipment. *Amending Bylaw No. 801, 2010.*

“**Special Needs Dog**” means either a male or female of the canine species, specifically trained to assist persons whom are physically challenged by loss of eyesight or mobility, or other physical impairment.

“**Vehicle**” includes any device in, upon or by which any person or property is, or may be, transported or drawn upon a street irrespective of the motive power, and shall be operated on any highway or park in a manner compliant with the Motor Vehicle Act.

## **MUNICIPAL PARKS**

3. The following are the District of Sicamous Municipal Parks and are shown outlined in bold black on Schedule "B" attached to and forming part of Bylaw No. 393, 2000:
- (a) River Front Nature Trail Park, DL 1035 SW of the Eagle River
  - (b) Sicamous Beach Park, Lot B, Plan 31008, District Lot 452
  - (c) Finlayson Park, Rem. Lot 11, Plan 5217, District Lot 497
  - (d) Shuswap Avenue Park, Plan 39790 (commonly referred to as the Lions Park)
  - (e) Silver Sands Canoe Park, Plan 31008 (unnamed)
  - (f) Kappel Street Park, 804 Kappel Street (unnamed)
  - (g) Oak Avenue, Lot 7, Plan 26305, DL 496 (unnamed)
  - (h) Beach Area, Tecumseh Road (end of Road Right Of Way)(unnamed)
  - (i) Beach Area, Cartier Road, (end of Road Right Of Way)(unnamed)
  - (j) Lot C, Plan EPP8540 located off Hillier Road East adjacent to the Eagle River.  
(former Pole Yard property) (Amending Bylaw No. 805, 2010)

### Commercial Parks

Finlayson Park and Beach Park will be considered as "commercial" parks which may be developed with recreational activities. The Council of the District of Sicamous will promote partnerships to work in conjunction with the District to achieve common goals and encourage submissions from interested groups or individuals for recreational functions within these parks. Finlayson Park and Beach Park may be developed to the extent considered appropriate by Council and giving consideration to green space and the preservation of trees pursuant to District policy.

### Passive Parks

All other parks including the Nature Trail Park will be considered as "passive" parks which will be left, as much as possible, in their natural state. Development of recreational activities in passive parks will not be considered. Minor improvements such as walking trails or paths, and park benches will be permitted. Playground equipment for small children may be considered if the passive park is of sufficient size so as not to detract from the passive nature of the park and only if the location of the park is in close proximity to a residential area.

## **GENERAL REGULATIONS**

### 4. **Damage to Parks**

No person shall cut, break, injure, or in any way destroy or damage any tree, shrub, plant, turf, or flower, or any building, structure, fence, sign, seat, bench or ornament of any kind or in any way foul or pollute any fountain, lake, stream, pool, pond, well or spring in any park, boulevard or driveway, or injure, deface or destroy any notices, rules or regulations posted or affixed to anything by order or permission of the Council.

### 5. **Climbing fences, depositing waste**

No person shall climb, walk or sit upon any wall, fence or other erection in or upon any park or boulevard; or cross, travel or use any grass plot or land where signs have been posted forbidding such use; and no person shall deposit any waste, offensive matter or other substance of any kind into or upon any such park, grass plot or driveway, or in any lake, stream, pool or pond within the limits of any park, or on or along any driveway except in the receptacles provided for such purpose.

6. **Selling**

No person shall sell or expose for sale any refreshments or any article or thing in any park without a permit issued under Use of Municipal Property Policy A-11 or a licence issued under Business Licensing and Regulations Bylaw No. 830, 2011. *(Amending Bylaw No. 928, 2017)*

7. **Firearms**

- (a) No person shall carry or discharge any firearm of any description, in or about any parks, for any reason; and
- (b) No person shall fire or explode any combustible or other explosive material, without first obtaining the written permission of Council, in addition to completing the District of Sicamous Facility Use Permit and compliance with the requirements contained therein.

8. **Games**

No person shall:

- (a) play golf or strike a golf ball,
  - (b) fly any motor driven airplane,
  - (c) shoot an arrow or practice archery, in any area of any park,
- except in areas designed or permitted for such activity.

9. **Parades, Assemblies**

- (a) No person shall take part in any procession, march, drill, performance, ceremony, concert, or exclusive gathering, or meeting in or on any park or driveway without first obtaining the written permission of the District, except in compliance with Use of Municipal Property Policy A-11. *(Amending Bylaw No. 928, 2017)*
- (b) No person shall make a public address or demonstration or do any other thing likely to cause a public gathering or attract public attention in any park except in compliance with Use of Municipal Property Policy A-11. *(Amending Bylaw No. 928, 2017)*
- (c) No person shall operate any amplifying system or loud speaker in any park except in compliance with Use of Municipal Property Policy A-11. *(Amending Bylaw No. 928, 2017)*

10. **Animals running at Large**

- (a) No person as owner or having the control of any animal shall suffer or permit such animal to run at large or feed upon any park or driveway, except in the case of a dog, which shall only be permitted to enter the park in the custody of the owner or his agent, and only when on leash, and only in areas so designated; and the owner or other person having the custody of any such animal who suffers or permits the same to run at large or feed in or on any such park or driveway shall be deemed to be guilty of an infraction of this Bylaw and shall be liable to the penalties hereinafter imposed.
- (b) No person shall allow a horse under his control to enter or occupy park land

unless express written authority has been obtained from the District in compliance with Use of Municipal Property Policy A-11. *(Amending Bylaw No. 928, 2017)*

- (c) With the exception of Special Needs Dogs, as defined herein, and subsection 10 (d), no dogs are permitted in any area of the Beach Park, Cartier Road Beach Area or Tecumseh Road Beach Area at any time.
- (d) Dogs shall be permitted only on the brick walkway within the Beach Park for purposes of passing through the park to a destination outside the boundary of the Park, and at all times said dogs shall be on a leash and owners shall remove and dispose of its feces.
- (e) The District of Sicamous may, at its discretion, acquire the services of an individual dog owner, or owners, for the control of geese at the Beach Park from time to time as required. *(Amending Bylaw No. 496, 2003)*
- (f) Notwithstanding subsections (a) and (d), dogs will be permitted, only upon a leash along the pathway, in the Lions Park which is identified on Schedule "B" attached to and forming part of Bylaw No. 393. *(Amending Bylaw No. 737, 2009, Amending Bylaw No. 928, 2017).*

11. **Disorderly Conduct**

No person shall conduct himself in a disorderly or offensive manner, or molest or injure any other person, loiter, or take up a temporary abode overnight on any portion of any park, or obstruct the free use and enjoyment of any park by any other person or violate any Bylaw, rule, regulation. *Amending Bylaw No. 447, 2001.*

12. **Erecting Structures**

No person shall erect, construct or build or cause to be erected, constructed or built in or on any park or boulevard any tent, building, shelter, pavilion or other construction whatsoever, without first obtaining written permission from the District in compliance with Use of Municipal Property Policy A-11. *(Amending Bylaw No. 928, 2017)*

13. **Obstructing Driveways**

No person shall use, occupy or travel along or upon any park, driveway or other park property in such manner as to obstruct or to cause an obstruction, or to interfere with any person or traffic lawfully using the same; or encumber or obstruct, or cause to be encumbered or obstructed in any manner whatsoever, any park or driveway without express authority of the District in compliance with Use of Municipal Property Policy A-11. *(Amending Bylaw No. 928, 2017)*

14. **Removing Obstructions**

The Bylaw Enforcement Officer is authorized to remove or cause to be removed from any park or driveway any obstruction, vehicle or thing placed therein or thereon contrary to the provisions of this Bylaw, at the expense of the owner, contractor or other person responsible for such obstruction; and the Bylaw Enforcement Officer is hereby empowered to do every lawful act required under the circumstances to have any such obstruction removed in the shortest possible time, and to hold any article or thing causing such obstruction until the expense of the removal thereof has been paid.

**15. Other Regulations**

No person shall

- (a) cause any dog or other animal to swim in the water, or throw or deposit any injurious nuisance, or offensive matter into the water in any reservoir, lake, pond, or other receptacle for water connected with any park, or on the beaches, or upon the ice in case any such water is frozen, or in any way foul the water, or commit any unlawful damage or injury to the works, pipes or water;
- (b) allow a dog under their care or custody to deposit dung or feces on any public or private property unless he immediately takes all necessary steps to remove such dung or feces and dispose of the same in a sanitary manner.
- (c) drive any vehicle, except a bicycle, invalid chairs of any description or child's carriage on any footpath or promenade without first obtaining authorization in compliance with Use of Municipal Property Policy A-11; (*Amending Bylaw No. 928, 2017*)
- (d) deposit or leave or cause to be deposited or left any matter or thing or break any glass bottle or container on or in any park or beach;
- (e) light a fire or place fuel on a fire in or on any park or beach;
- (f) cut any tree or shrub in or on any park;
- (g) pick or gather any flower in or on any park;
- (h) loiter in any bathhouse, or conduct himself in such manner as to be objectionable to other patrons or the public in or immediately adjacent to any such bathhouse or bathing beach;
- (i) use any boat, motorboat, personal watercraft, or other contrivance or thing in the immediate vicinity of any bathing beach that will endanger, disturb or otherwise interfere with the free use of the water for bathing and swimming purposes;
- (j) fish from or adjacent to any bathing beach, or cast or haul in any net or other fishing contrivance therein or therefrom between May 1st and October 1st in each year;
- (k) interfere with, obstruct, impede, hinder or prevent the discharge of the duties of any attendant, lifeguard or other person engaged in superintending, controlling, instructing or overseeing swimming, bathing, or aquatic sports or games at any bathing beach under his supervision or control; as authorized in compliance with Use of Municipal Property Policy A-11; (*Amending Bylaw No. 928, 2017*)
- (l) create any undue disturbance, congregation or alarm that will cause or tend to cause panic, excitement, or any hazard, annoyance or interference with swimmers and bathers in or on any bathing beach or adjacent thereto;
- (m) bring to any bathing beach or the water adjacent thereto any dog, except a "Special Needs Dog", or be accompanied by or harbour a dog on any bathing beach or in or on any waters adjacent thereto;

- (n) bring to any bathing beach or the water adjacent thereto, any underwater spear or shooting device, or use any floating object which, in the opinion of the Bylaw Enforcement Officer, or lifeguard or attendant, as authorized in compliance with Use of Municipal Property Policy A-11, is considered unsafe or hazardous; *(Amending Bylaw No. 928, 2017)*
- (o) operate a vehicle, including a snowmobile or motor cycle within nor upon park land, other than those areas constructed and maintained as road surface, public parking areas or areas designed and signed as motor vehicle, snowmobile or motor cycle areas, unless such person has been issued authorization in compliance with Use of Municipal Property Policy A-11; *(Amending Bylaw No. 928, 2017)*
- (p) enter or be in any District park between the hours of 11:00 p.m. and 5:00 a.m. on any day, unless established and posted otherwise, except in compliance with Use of Municipal Property Policy A-11 attached to and forming part of this Bylaw; and *(Amending Bylaw No. 928, 2017)*
- (q) and no registered owner of a vehicle shall permit such vehicle to enter or remain within any District park between the hours of 11:00 p.m. and 5:00 a.m. on any day except in compliance with Use of Municipal Property Policy A-11 attached to and forming part of this bylaw. *(Amending Bylaw No. 928, 2017)*
- (u) consume, sell, or distribute in any manner liquor or alcoholic beverages unless permitted under the Liquor Control and Licensing Act and authorized by a Special Event – Facility Use Permit in compliance with Use of Municipal Property Policy A-11. *(Amending Bylaw No. 473, 2002, Amending Bylaw No. 928, 2017)*

16. **Male and Female Bathhouses**

No male person shall enter any portion of any bathhouse set apart for the use of female persons; no female person shall enter any portion of any bathhouse set apart for the use of male persons, except guardians in care or custody of a child.

17. **Driveways Only to be Used**

No person shall ride or drive any horse or other animal, or drive or propel, or permit to be driven or propelled any vehicle or other mode of conveyance on any boulevard, grass plot or other area within any park other than on the respective driveways made and provided for such purpose; or to ride or drive any animal or vehicle on any path or other roadway reserved for pedestrian traffic only; provided, however, that invalids chairs, children's carriages and bicycles may be allowed on the footwalks to such an extent and in such a manner as shall not interfere with the free use of such walks by pedestrians.

18. **General Traffic Regulations**

Subject to the provisions herein contained, no person shall

- (a) drive any vehicle on any driveway in any park in excess of 15 km/h;
- (b) disobey any posted sign in any park, driveway or access thereto;
- (c) sound the horn of a vehicle except when necessary to warn a person of its approach;

- (d) transport any load on any vehicle having a gross weight, including such vehicle, in excess of five (5) tons along any roadway or transport or haul any materials along or through any roadway, or deposit or remove any material or debris of whatsoever kind in, to, from or within any park except as authorized in compliance with Use of Municipal Property Policy A-11. (*Amending Bylaw No. 928, 2017*)

19. **Stopping When Directed**

Every person shall stop upon the request or signal from any person lawfully directing any traffic within the park.

20. **Duties of Officers and Constables**

The duties of all officers detailed for service in any park shall consist of carrying out the lawful commands, orders, bylaws and regulations of the Council, the prevention of crime and enforcing the bylaws of the District of Sicamous where applicable to any park or other property.

21. **Park Closure**

The District of Sicamous reserves the right to close public access to any park at any time for any reason deemed in the public interest to do so.

22. **Prohibition of Smoking** *Amending Bylaw No. 801, 2010*

Smoking shall be prohibited in the following parks:

- (a) River Front Nature Trail Park, DL 1035 SW of the Eagle River
- (b) Sicamous Beach Park, Lot B, Plan 31008, District Lot 452
- (c) Beach Area, Tecumseh Road (end of Road Right of Way)(unnamed)
- (d) Beach Area, Cartier Road, (end of Road Right of Way) (unnamed)
- (e) All designated Children's Play Areas

**VIOLATION OF BYLAW**

23. **Penalty**

Every person who violates any provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction of this Bylaw, and is punishable in accordance with the Summary Conviction Act. Each day that a violation continues to exist shall constitute a separate offence.

**SEVERABILITY**

24. If any section, sentence, clause, or phrase of this bylaw for any reason is held to be invalid by the decision of a court of jurisdiction, such decision shall not affect the validity of the remaining portions of the bylaw.

READ a first time this 26<sup>th</sup> day of June, 2000.

READ a second time this 26<sup>th</sup> day of June, 2000.



READ a third time this 30<sup>th</sup> day of October, 2000.

RECONSIDERED AND FINALLY ADOPTED this 14<sup>th</sup> day of November, 2000.

*"original signed"*

\_\_\_\_\_  
Mayor

*"original signed"*

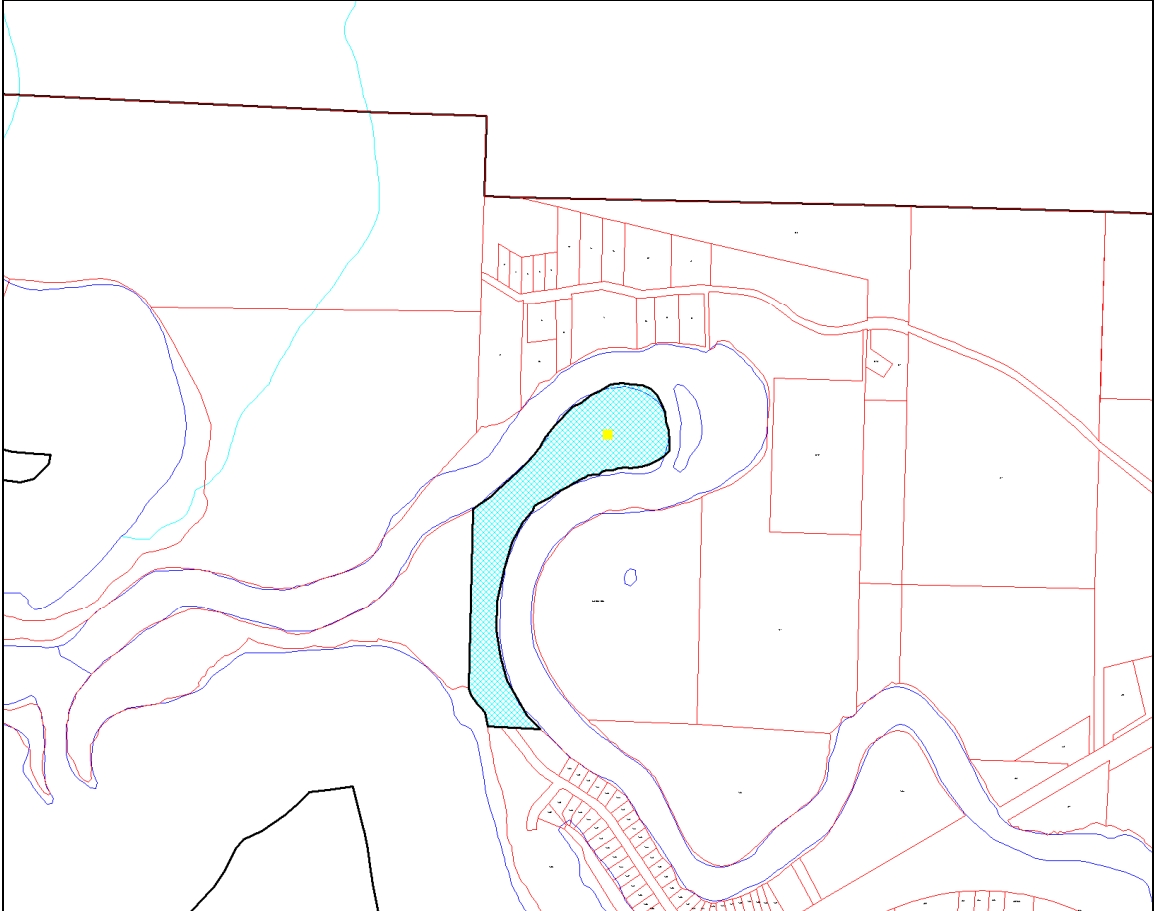
\_\_\_\_\_  
Clerk

Certified a true and correct copy of the District of Sicamous  
Parks Regulation Bylaw No. 393, 2000.

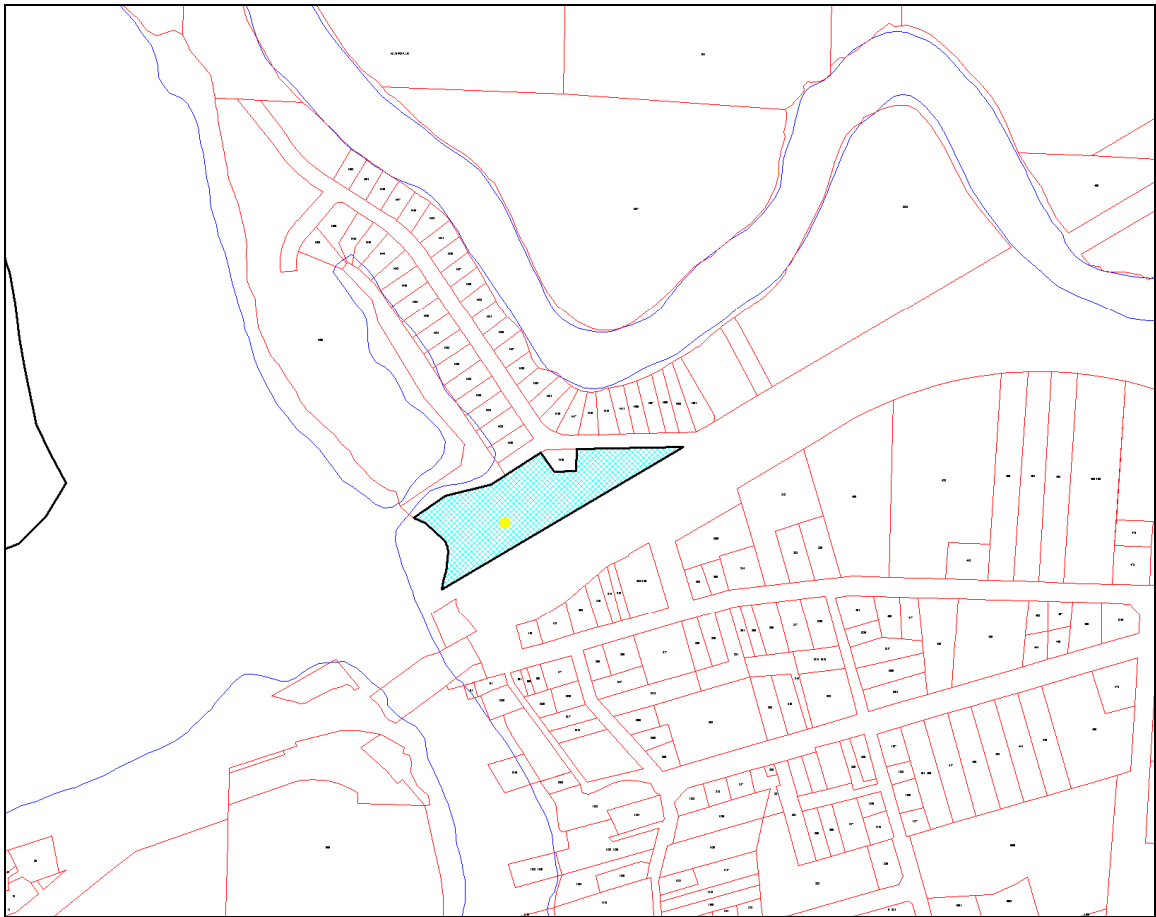
\_\_\_\_\_  
Clerk

Schedule "B" to Bylaw No. 393, 2000

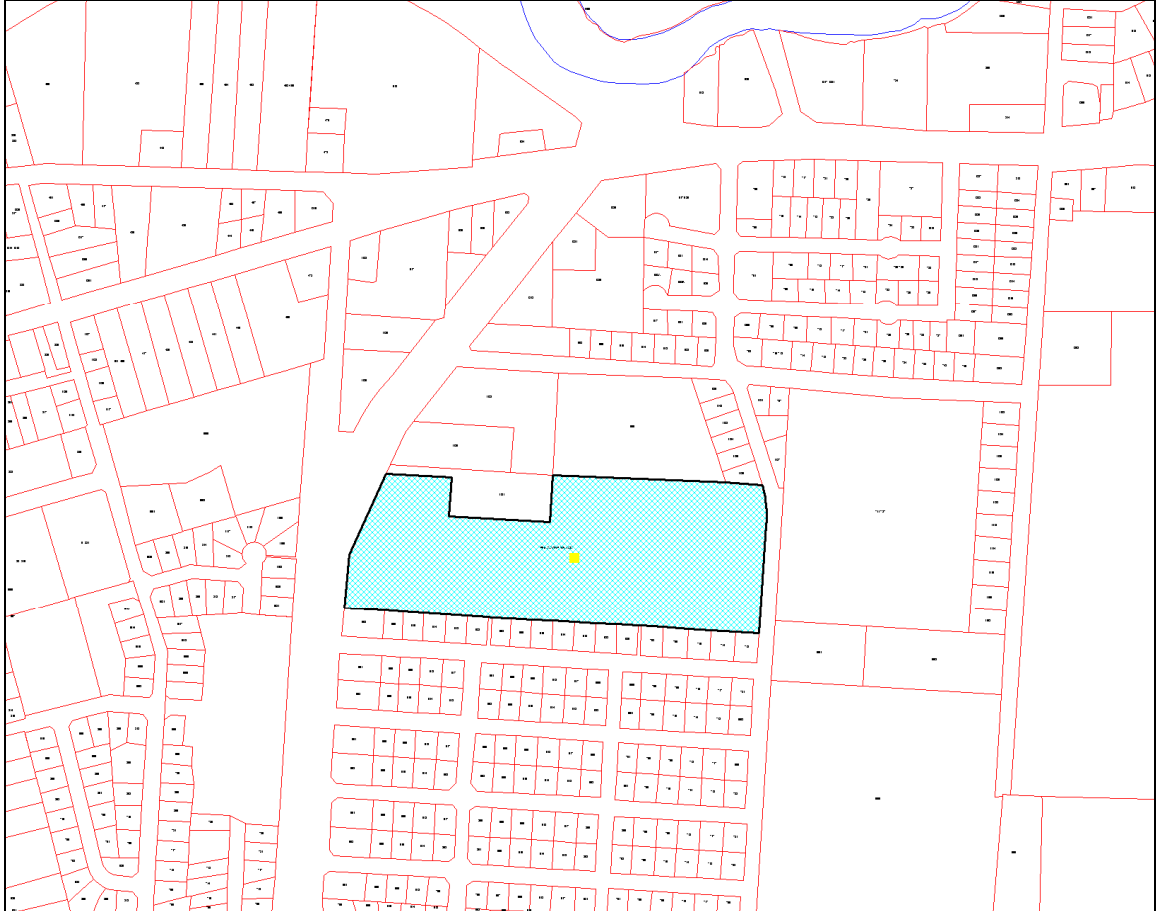
**River Front Nature Park**



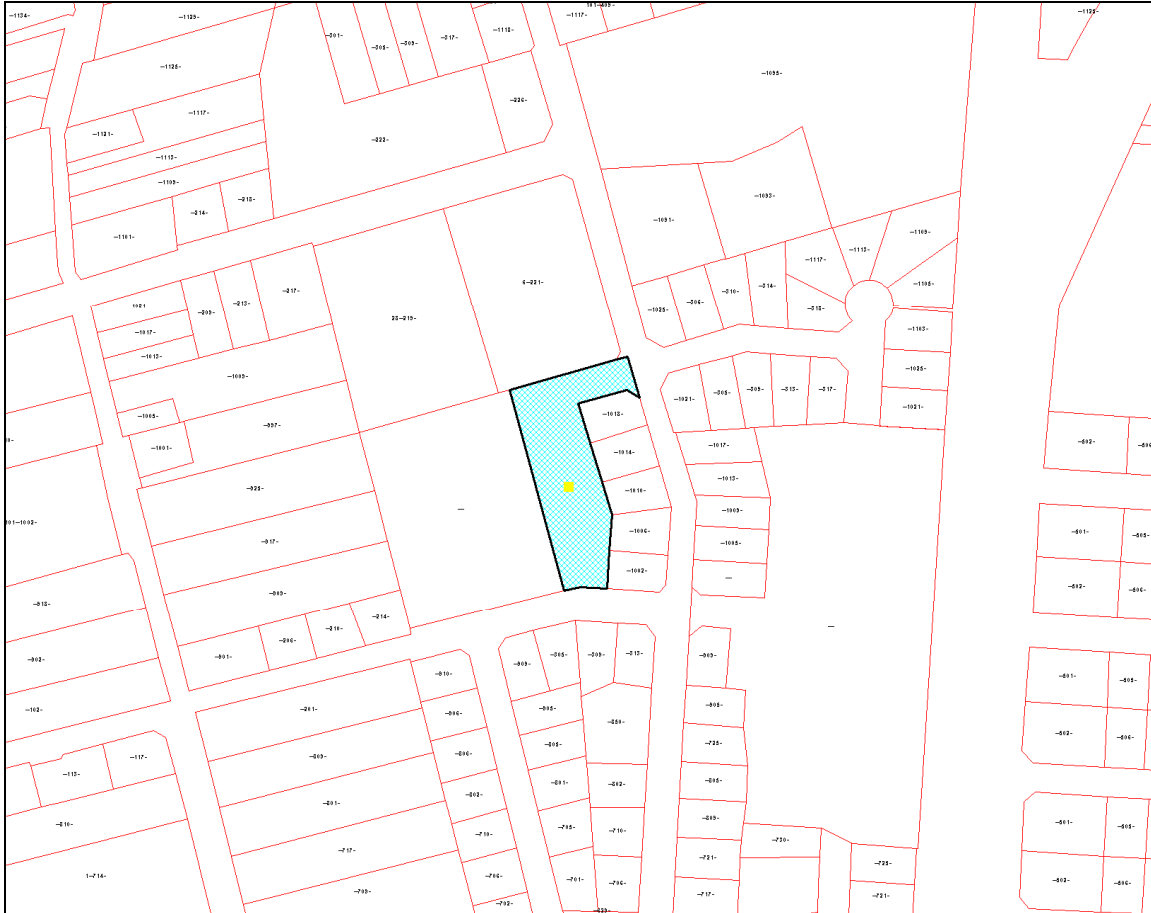
**Sicamous Beach Park**



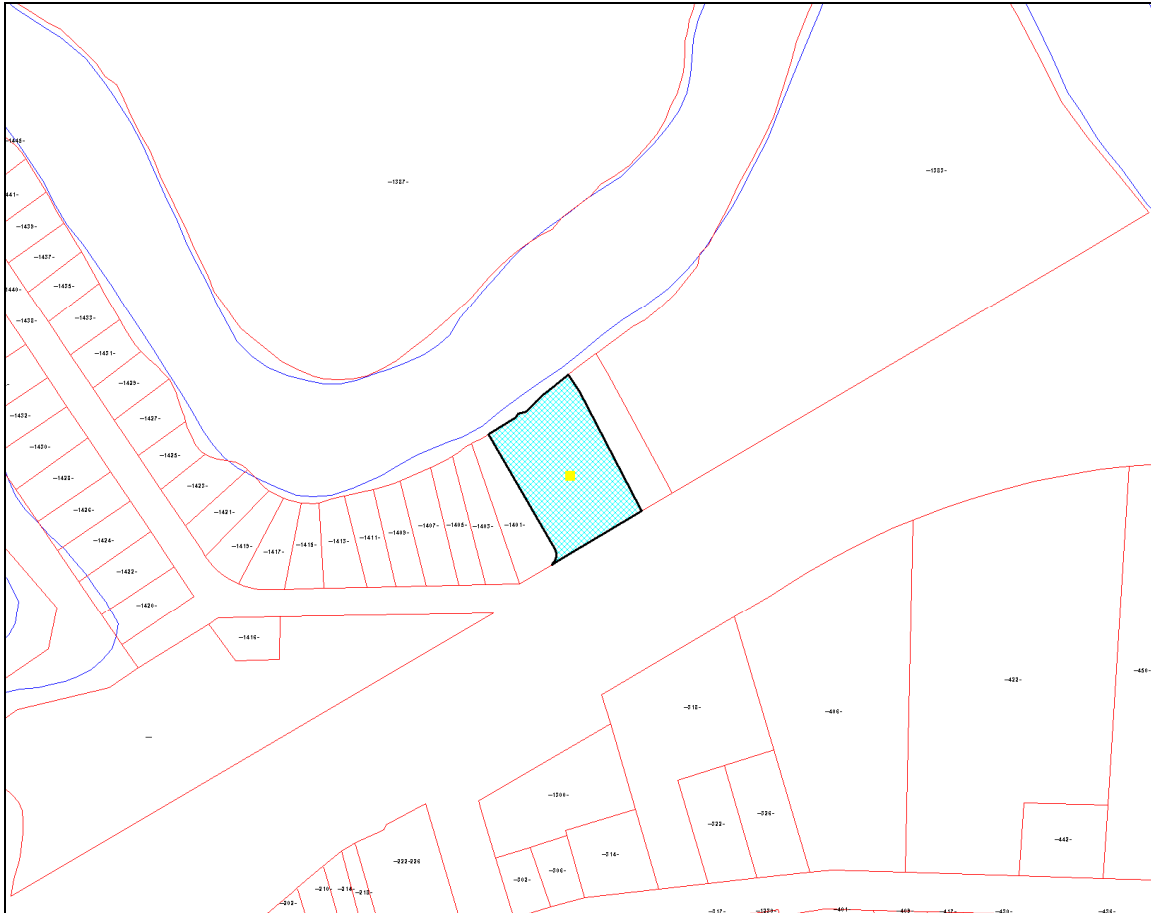
**Finlayson Park**



**Shuswap Avenue Park (unnamed)  
(commonly referred to as the Lions Park)**



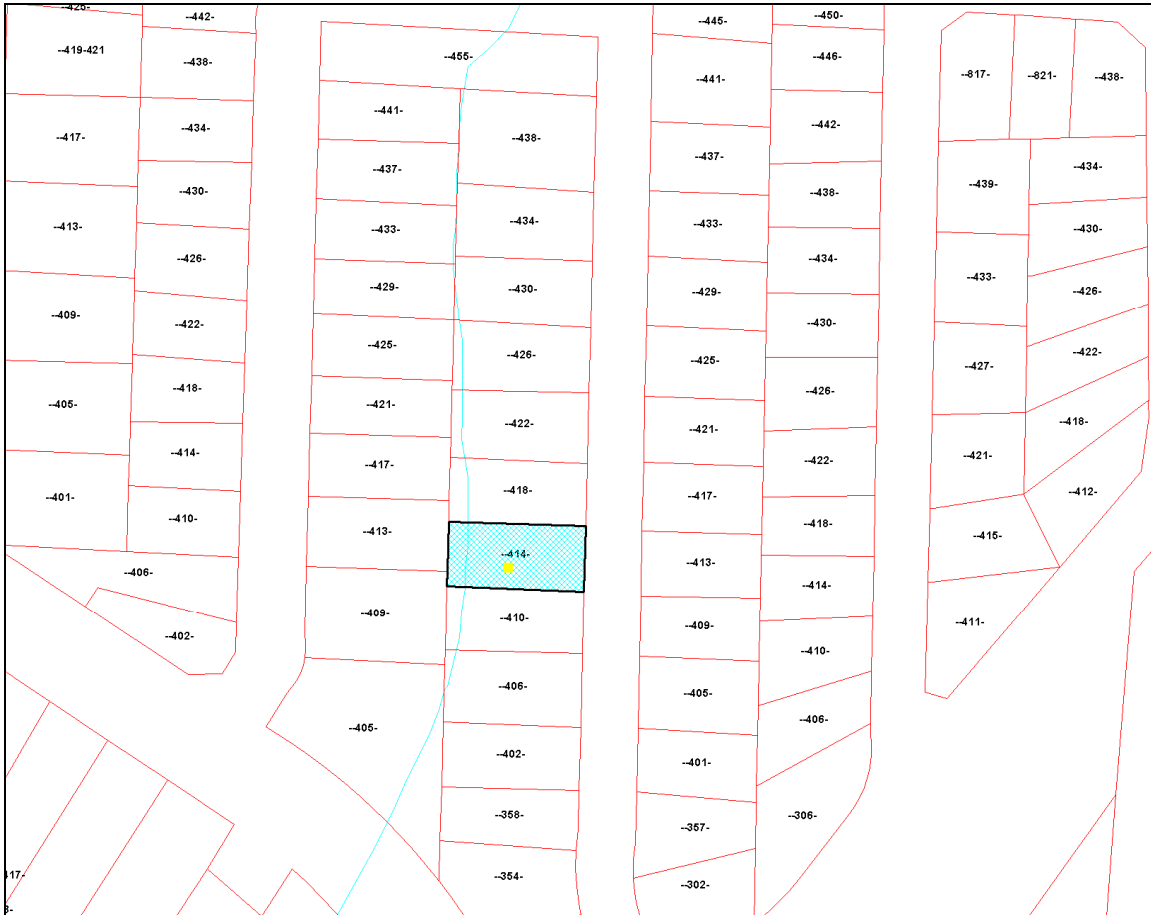
Silver Sands Canoe Park (unnamed)



**Kappel Street Park (unnamed)**

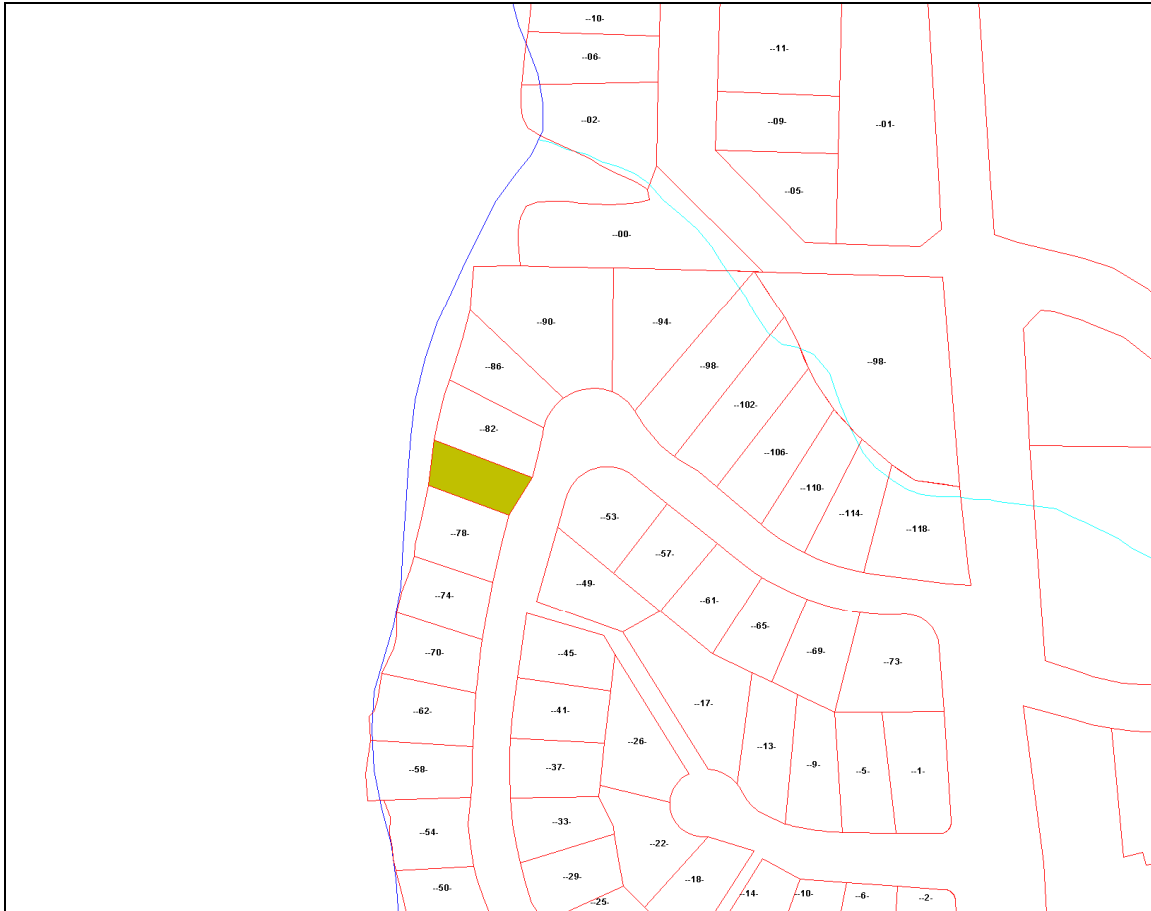


Oak Avenue Park (unnamed)



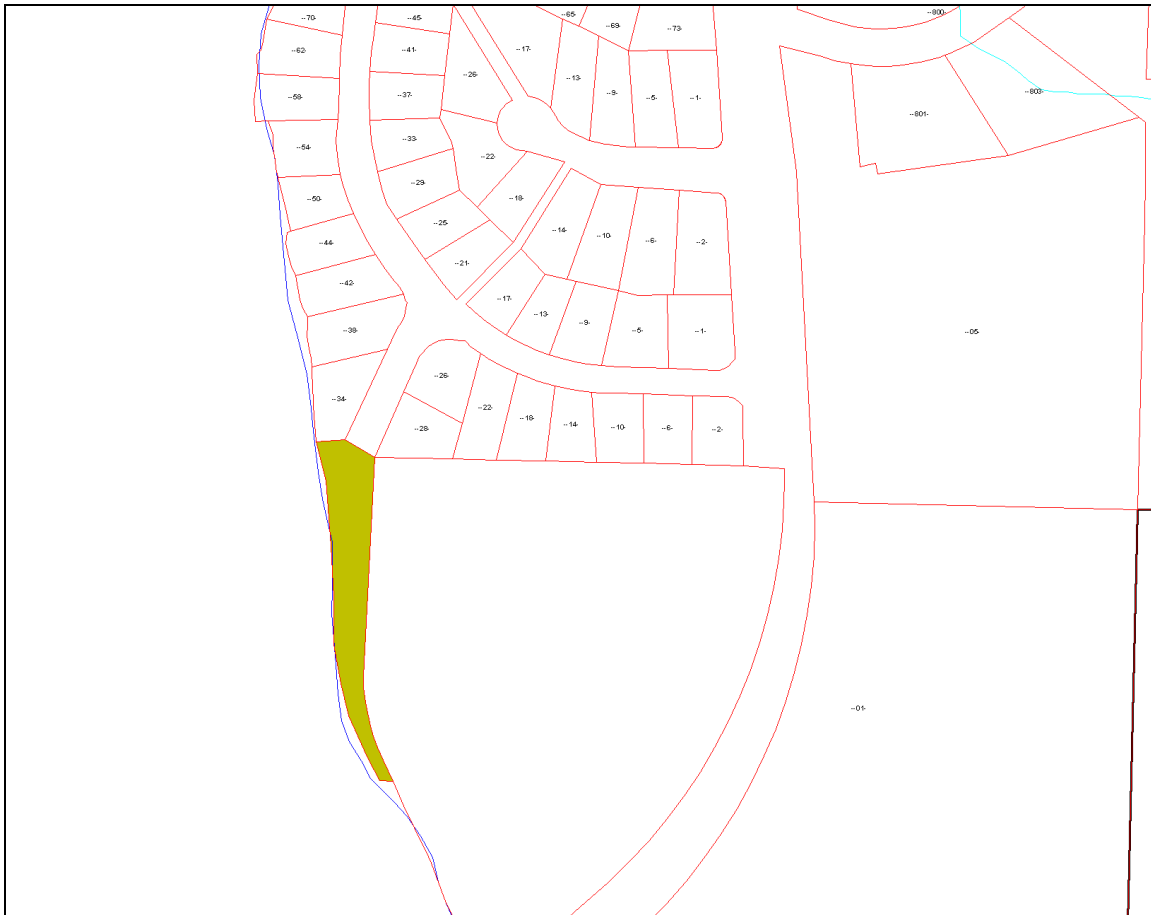


**Cartier Road (unnamed)**



Note: approximate boundary at the end of Cartier Road at the Two Mile Subdivision – shown in green.

**Tecumseh Road (unnamed)**



Note: approximate boundary at the end of Tecumseh Road at the Two Mile Subdivision – shown green.

Hillier Road East

