

**BY-LAW NUMBER 19 OF 2024 OF
THE VILLAGE OF POINT
EDWARD**

"A By-Law Respecting Public Parks"

WHEREAS it is deemed expedient to enact this By-Law with respect to the use, regulation, protection and governance of Public Parks under the jurisdiction of the Corporation of the Village of Point Edward.

NOW THEREFORE the Municipal Council of the Corporation of the Village of Point Edward enacts as follows:

PART 1 - DEFINITIONS

1. In this By-Law:
 - (a) "Village" means the Corporation of the Village of Point Edward;
 - (b) "Council" means the Municipal Council of the Village of Point Edward;
 - (c) "Operations Manager" means the Operations Manager of the Village of Point Edward;
 - (d) "park" means the standing still of a vehicle whether occupied or not;
 - (e) "parking area" means land that is physically laid out or improved for the parking of vehicles, and that is designated by an official sign for such purpose;
 - (f) "Public Park" means and includes all Public Parks and facilities therein, all avenues, boulevards and drives therein, under the control and management of the Village;
 - (g) "roadway" means a highway as defined in the *Highway Traffic Act*, and includes any travelled portion of a public park maintained, designed, intended for, or used by the general public for the passage of vehicles and, without limiting the generality of the foregoing, includes those areas maintained for parking of the vehicles of the general public;
 - (h) "vehicle" means a truck, automobile, motor cycle, motor scooter minibike, trailer, bicycle, carriage, wagon, sleigh, snowmobile, or any vehicle or conveyance of every description and whatever the motive power, except a baby carriage or cart, child's wagon or child's sleigh.

PART 2 - VEHICLES

2. No person shall:
 - (a) drive any vehicle commonly used for the purpose of transporting merchandise or goods or any other chattels, whether loaded or empty, upon any of the roadways in any Public Park, other than a light "pick-up" type of vehicle when used for passenger use only, but nothing in this section applies to vehicles transporting material for use in any Public Park;
 - (b) drive any vehicle in a Public Park other than on the designated roadways, or drive or ride or be in the care or control of any vehicle or animal on any area or roadway in any Public Park which is not intended to be used for such purpose, or which has any sign showing that such roadway is closed

to traffic, or on any roadway intended to be used for vehicular traffic in any other direction than that indicated by the signs placed thereon by the Village.

SNOWMOBILES

3. No person shall use a snowmobile or an All-Terrain Vehicle in any Public Park.

PARKING

4. No person shall:
- (a) park any vehicle in the travelled portion of any roadway in any Public Park, except for the purpose of allowing persons to enter or to descend from such vehicle;
 - (b) park any vehicle in any Public Park, except in places designated for that purpose; and no person shall stop or park a vehicle in any parking area except within a designated parking space; and no person shall park any vehicle between 2:00 am and 5:00 a.m. in any Public Park;
 - (c) without prejudice to the generality of clause 4(b), no persons except visitors to a Public Park and employees of the said Operations Department may park in any designated parking space;

GAMES

5. No person shall play any games, including, without prejudice to the foregoing generality, ball games, skateboarding and frisbee-throwing, in any parking area in any Public Park or in the access lanes or thoroughfares within such parking area.

MAINTENANCE

6. No person shall use any part of a Public Park for the purpose of washing, servicing, or maintaining any vehicle, nor, except in the event of an emergency, repairing any vehicle.

PART 3 - ANIMALS

ANIMALS

- 7.
- (a) No person shall
 - (i) take any animal into a Public Park unless such animal is kept on a leash not more than Six (6) metres in length while in such Public Park;
 - (ii) permit any animal to run at large in any Public Park;
 - (iii) permit any animals to be on a beach in any Public Park;
 - (iv) use any part of any Public Park for the training of any animal or animals for any purpose involving the attack or potential attack of persons, and any person who, in the opinion of any Police Officer or employee of the said Operations Department, is so doing may be required to remove any such animal or animals from such Public Park forthwith; and
 - (v) permit an animal to foul with faeces any part of any Public Park, unless the owner or other person in charge of the animal forthwith removes the faeces.

PART 4 - GENERAL

WORM PICKING

8. No person shall pick, collect or gather worms in any Public Park for commercial purposes.

FIRES

9. No person shall light or make use of any fire in or on any Public Park unless it is in a properly constructed barbecue, or in a fire-pit designated for the purpose and a permit for the use of such fire-pit has been obtained from the Fire Department of the Village.

ALCOHOL

10. No person shall have in his possession in any Public Park alcoholic beverages, whether for consumption or otherwise, and no alcoholic beverages may be carried into or taken into any Public Park for any purpose, except in connection with approved Special Occasion Permits.

PARK MISUSE

11. No person shall:
 - (a) wilfully break, deface, or otherwise damage any of the gates, locks, bolts or fences or any of the seats or benches, buildings or other property or equipment or any other Village property in any Public Park;

DESTRUCTION

- (b) wilfully destroy, cut, mark, break, dig, tear up, burn, paint or write upon or in any way damage or deface any tree, flower bed, shrub, plant or sod, wading or swimming or spray pool, fountain, bridge, fence, wall, gate, roadway, pavement, parking area, sidewalk, walk or other facility, erection or improvement, or any building, or other structure or any appurtenance thereof or any swing, slide, playground apparatus, table, seat, bench, sign, vase or other fixture, equipment or personal property or ornament or utility located in or upon any part of or forming part of a Public Park;

POLLUTE

- (c) deposit or strew any refuse, waste paper, bottle, can, wrapper, container or garbage anywhere within any Public Park or into the waters abutting on any Public Park or waters within any Public Park, except in the receptacles provided for that purpose; or

POSTERS

- (d) post, nail, attach or otherwise fasten any poster, sign, notice, placard, circular, bill, advertisement or paper in, upon, or to any part of a Public Park, except with the permission of the Village.

ANIMAL CARE

12.
 - (a) No person shall kill, maim or in any way injure, molest or disturb any animal, bird, water fowl, or fish that is an inhabitant in a Public Park;

ANIMAL SANCTUARY

- (b) All Public Parks shall be and are hereby declared to be a sanctuary for

wild birds of all kinds and animals, and no person shall throw any missile at them or in any way molest them or cause them to be molested;

FISHING

- (c) No person shall fish in any body of water which abuts any Public Park from or in a location which may endanger the safety of any other person or in a manner which may endanger the safety of any other person.

FIREARMS

- 13. No person shall carry any firearms or discharge same in any Public Park.

LAW OFFICER

- 14. Any Police Officer or employee of the said Village may exclude from any Public Park any disorderly or drunken person, and may remove therefrom any person or persons violating any provision of this By-Law with respect to the care, maintenance, and use of any Public Park, or any person or persons whose conduct therein is disorderly.

ATHLETIC AREA PERMITS

- 15. No person or persons shall:
 - (a) play at or practise any game which requires its own equipment within any Public Park, except where provision has been made by the Village for the playing of such games, and in places where the playing of games is approved by the Village, and upon first making written application therefor to the Village and obtaining the consent of the Village to do so; all schedules for games to be played in any Public Park must be presented to the Village for approval before such games are played; casual play and unscheduled games shall be permitted so long as they do not interfere with any play or game scheduled as aforesaid;

GOLF

- (b) use, play at, or practise with any golf equipment in any Public Park at any time, with the exception of "miniature golf" in association with an event or picnic; or

EXCLUSIVE USE

- (c) make exclusive use of any portion of any Public Park without first having obtained a permit from the Village to do so.

PICNICS

- 16. (a) Any person desiring a permit for the exclusive use of any portion of any Public Park shall apply to the Village therefor in person and, if the application is granted, pay to the Village such sum as the Village may from time to time determine for said permit, and every such permit issued under the authority of this By-Law shall terminate on the date set out in the permit; and

PERMIT PROOF

- (b) Any person to whom such a permit shall be issued under the authority of this By-Law shall exhibit the same whenever required to do so by the Village or any Police Officer.

ARCHERY

17. No person shall use archery equipment in a Public Park, except within supervised target ranges set up by the Village under the supervision of and approved by the Village.

OFFICIAL SIGNS

18. The Village is authorized to place or erect in any Public Park and to maintain such official signs as are required to give effect to the provisions of this By-Law, or as required to warn or guide the public for reasons of safety or maintenance.

PUBLIC ADDRESS SYSTEMS

19. No person shall:
 - (a) operate or use any apparatus, mechanism or device for the amplification of the human voice, music or sound in any Public Park without the permission of the Village;

CAMPING

- (b) camp in any Public Park;

FIREWORKS

- (c) ignite, discharge or set off any fireworks in a Public Park, except for a fireworks display held under a permit therefor issued by the Village with any other approvals required for such display; or

ICE RINKS

- (d) skate on any natural or artificial ice surface in any Public Park in such a manner or at such a speed as to endanger or jostle any other person using such ice surface, or use racing or speed skates that are not properly equipped with manufactured toe-guards of a type in common use, or use or carry a hockey stick on any ice surface except in those areas which have been set apart or designated as hockey rinks.

CLOSURES

20.
 - (a) The Council may, at any time when it is deemed advisable so to do, by Resolution;
 - (i) order to be closed to the public any Public Park, or any portion of any Public Park, during such hours or for such period or periods of time as may be specified in the Resolution; and
 - (ii) require the payment of a fee by any person desiring to enter any Public Park or portion thereof so closed, and no person shall enter any Public Park or any portion of any Public Park so closed without first paying the fee for admission to a person duly authorized by the Village for the collection of such fee; and the amount of such fee shall be fixed from time to time by Resolution of the Council;
 - (b) Public Parks are closed to the public daily between the hours of 12:00 midnight and 5:00 a.m., and no person shall be in those Public Parks, Village beaches and road ends during the said hours;

21. No person shall:

- (a) hold or conduct any public, business or organizational meeting or

gathering in or on any Public Park without the authority of the Village and at such times and places as may be approved by the Village and provided that all terms and conditions required by the Village governing the holding or conduct of such a meeting are complied with;

BATHING

- 22. No person shall:
 - (a) loiter or conduct himself or herself in such manner as to be objectionable to other persons in or immediately adjacent to any bathing beach in any Public Park;
 - (b) bring to any bathing beach in any Public Park or the waters adjacent thereto any underwater spear or other shooting device; or

- 23. Any person who contravenes any provision of this By-Law is guilty of an offence and is subject to the provisions of the *Provincial Offences Act*.

- 24. This By-Law shall be administered by the Village.

- 25. This By-Law comes into force and effect upon being finally passed.

FINALLY PASSED this 23rd day of July, 2024.

Mayor

Clerk