



BYLAW NO. 16-765
Of the Municipal District of Greenview No. 16

A Bylaw of the Municipal District of Greenview No. 16, in the Province of Alberta, to provide for the control and operation of campgrounds and recreational areas under the jurisdiction of Municipal District of Greenview No. 16.

Whereas, under the authority and pursuant to the provisions of Section 7 of the Municipal Government Act, RSA 2000. Chapter M-26 and amendments thereto, Council may pass Bylaws respecting the safety, health, welfare and protection of people, property, activities, and things in, on, or near a public place or place that is open to the public.

Whereas, Council deems it desirable and expedient to regulate certain activities in campgrounds, parks and recreational areas within the jurisdiction of The Municipal District of Greenview No. 16 for the health, safety, and welfare of the people and property;

Whereas, Council may establish rules and regulations for the control and operation of all Greenview owned or managed Parks.

Therefore, under the authority and pursuant to the provisions of the said Municipal Act, and by virtue of all other enabling powers, the Council of The Municipal District of Greenview No. 16, duly assembled, enacts as follows:

1.0. This Bylaw may be referred to as the *Parks and Recreation Protection Bylaw*.

2.0. DEFINITIONS


In this Bylaw:


2.0.1 ABANDONED means left at a location in any of the following circumstances:

- 2.0.1.1.** without a Permit or other similar authorization;
- 2.0.1.2.** unattended in a condition that constitutes a present or potential hazard to persons, Animals or property;
- 2.0.1.3.** after the authorization to be in that area expires; and/or,
- 2.0.1.4.** is located in a prohibited area.

2.0.2. ANIMAL means a domestic Animal and includes an Animal that is wild by nature but has been domesticated.

2.0.3. CAMPGROUND means any area within Greenview that is operated or managed by Greenview, where overnight camping is permitted.

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- 2.0.4. CAMPING ACCOMMODATION UNIT includes but is not limited to:
- 2.0.4.1. rustic shelter;
 - 2.0.4.2. tent;
 - 2.0.4.3. tent trailer;
 - 2.0.4.4. truck camper;
 - 2.0.4.5. van;
 - 2.0.4.6. camper trailer; and/or,
 - 2.0.4.6. motor home.
- 2.0.5. CAMPSITE means a designated or assigned area in a Campground.
- 2.0.6. COUNCIL means the Council of the Municipal District of Greenview No. 16.
- 2.0.7. CUSTOMER means a paid user of the respective Park.
- 2.0.8. GREENVIEW means the Municipal District of Greenview No. 16.
- 2.0.9. DAY USE AREA means a Park, or portion thereof, unless otherwise posted, designated for use between the hours of 7:00 a.m. and 11:00 p.m. and not intended for sleeping overnight.
- 2.0.10. FIRE BAN means a general fire prohibition by Greenview or the province of Alberta.
- 2.0.11. PROJECTILE WEAPON means a device from which any projectile can be discharged and that is capable of causing serious bodily injury or death to a person or Animal, and includes but is not limited to:
- 2.0.11.1 devices which project either single or multiple projectiles at high velocity through a controlled explosion;
 - 2.0.11.2 bows including cross-bows;
 - 2.0.11.3. paintball guns;
 - 2.0.11.4. potato canons;
 - 2.0.11.5. BB, pellet, airsofts; and/or,
 - 2.0.11.6. sling shots.
- 2.0.12. HIGHWAY means a Highway as defined in the Traffic Safety Act.
- 2.0.13. MOTOR VEHICLE means a Motor Vehicle as defined in the Traffic Safety Act.
- 2.0.14. LIQUOR means Liquor as defined in the Gaming and Liquor Act.
- 2.0.15. OFF HIGHWAY VEHICLE means an Off Highway Vehicle as defined in the Traffic Safety Act.
- 2.0.16. PARK means any land designated by Greenview for recreational use and may include but is not limited to: municipal reserves, environmental reserves, Campgrounds, Day Use Areas, playgrounds, or boat launches by Greenview.
- 2.0.17. PARK ATTENDANT means an employee or contractor of Greenview who has been appointed to maintain order and ensure positive Customer or Patron experiences in the Park.
- 2.0.18. PATRON means an unpaid user of the respective Park.


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- 2.0.19. PEACE OFFICER means an individual as appointed under the authority of the Peace Officer Act, a member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer in the employ of Greenview.
 - 2.0.20. PERMIT means Greenview's expressed written permission to use an area within a Park, via a formal permitting system with fees or authorization of free use through a sign.
 - 2.0.21. SCHEDULE OF REGULATIONS means the Park specific Rules and Regulations which govern the activities of the Park.
 - 2.0.22. VIOLATION TICKET means a Violation Ticket issued under Part 2 of the Provincial Offences Procedures Act.
 - 2.0.23. WATER BODY means a location where water flows, whether or not the flow or the presence of water is continuous or intermittent, and includes but is not limited to wetlands and aquifers.

3.0. GENERAL

- 3.0.1. Greenview and its agents, shall not be liable for loss or damage caused by anything done or omitted to be done in good faith in the performance or intended performance of their functions, duties or powers under this Bylaw.
- 3.0.2. Each section of this Bylaw shall be read and construed as being separate and severable from each other section. Furthermore, should any section of this Bylaw be found to have been improperly enacted, that section or part shall be regarded as being severable from this Bylaw and the remaining Bylaw shall be effective and enforceable.
- 3.0.3. It is understood that the most recent versions of all respective Federal, Provincial and Municipal statutes apply under this Bylaw.
- 3.0.4. Council may adopt site specific Schedules of Regulations for Parks
- 3.0.5. For any conflict between a Parks Schedule of Regulations and this bylaw the Schedule of Regulations will apply.

3.1. Permits

- 3.1.1. Greenview may issue individual Campsite, Day Use Area, parking, Camping Accommodation Unit and group camping Permits under this Bylaw.
- 3.1.2. Greenview may provide designated areas within its Parks for camping and day-use purposes.
- 3.1.3. Customers and Patrons shall not:
 - 3.1.3.1. alter a Permit; or
 - 3.1.3.2. transfer a Permit to another Customer or Patron; unless otherwise stated in the Schedule of Regulations.
- 3.1.4. The holder of a Permit shall keep it available for inspection at any time and shall produce it for inspection on the request of a Peace Officer.
- 3.1.5. A Park Attendant may issue a group Permits that may be subject to additional regulations stipulated by the Park Attendant.
- 3.1.6. A Permit may be revoked at the discretion of the Park Attendant and/or Peace Officer.

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- 3.1.7. Upon their expiry, cancelation or exit the Permit holder shall ensure the area being used is vacated and that all Camping Accommodation Units, equipment and other property belonging to them or persons in their group is removed.

3.2. Park Entry:

3.2.1. Customers or Patrons:


- 3.2.2.1. utilizing a Park shall pay the applicable Park specific fee(s); and,
- 3.2.2.2. shall comply with any lawful order and instructions, prohibitions and directions prescribed by a Park Attendant, signage or notices made or issued pursuant to this Bylaw

3.3. Quiet and Peaceful Enjoyment

- 3.3.1. No Customers and Patrons shall interfere with the quiet and peaceful enjoyment of a Park by others.
- 3.3.2. Generators shall be turned off between the hours 11:00 p.m. and 7:00 a.m., unless required for medical reasons, or as per the Schedule of Regulations.
- 3.3.3. Dogs shall not be allowed to bark, howl or make any other loud noise for a continuous period so as to unreasonably disturb the peace and tranquility of the Park.

3.4. Nuisances:

- 3.4.1. Customers and Patrons using a Park shall keep the land and improvements in a clean and tidy condition, satisfactory to a Peace Officer or Park Attendant.
- 3.4.2. Customers and Patrons vacating a Park shall restore the land and improvements as nearly as possible, to a clean and tidy condition.
- 3.4.3. If, in the opinion of a Peace Officer or Park Attendant, a nuisance exists, they may order the Customers or Patrons to abate the nuisance.
- 3.4.4. A Peace Officer may direct any necessary undertaking if any Customers and Patrons fail to address or abate a nuisance, clean a site or both. The cost of doing so is recoverable from the Customers and Patrons who failed to comply with the order as a debt.
- 3.4.5. Customers and Patrons shall only display or post approved signs or advertisements in the Park.
- 3.4.6. Customers and Patrons shall not deposit liquid or solid waste matter in a Park except in a receptacle provided for that purpose by Greenview.
- 3.4.7. Customers and Patrons shall not bring commercial or residential waste matter into a Park for disposal.
- 3.4.8. In areas in a Park where waste disposal receptacles or areas are not provided, all Park users shall carry any waste produced by them out of the area for disposal.
- 3.4.9. Customers and Patrons shall not bath or clean anything near a Water Body, drinking fountain, stand pipe, well or pump in any Park unless authorized by the Schedule of Regulation or a sign.

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- 3.4.10. Customers and Patrons shall not remove water from a Park except for personal use while in the Park.

3.5. Damaging Property:

Customers and Patrons shall not:

- 3.5.1. remove, destroy, mutilate, deface, or misuse any property; and/or,
- 3.5.2. construct unauthorized object or buildings.

3.6. Animal Control

- 3.6.1. Customers and Patrons having the custody or control of an Animal, shall not allow an Animal to enter or remain in a Park unless it is secured and/or restrained or as per the respective Schedule of Regulations permits.
- 3.6.2. Customers and Patrons having custody or control of an Animal shall not bring into or allow an Animal to enter or remain in any area in a Park that is:
 - 3.6.2.1. a designated swimming area;
 - 3.6.2.2. a beach area adjacent to a designed swimming area; or,
 - 3.6.2.3. an area where signs are posted prohibiting Animals.
- 3.6.3. Customers and Patrons whose Animal defecates on Park property shall remove forthwith any defecated matter.
- 3.6.4. A Peace Officer may refuse to admit to a Park or require to be removed from a Park any Animal if, in their opinion, it is not under the control of a responsible Customer or Patron, or may be a nuisance or damage to the life, safety, health, property or comfort of any person or Animal in the Park.
- 3.6.5. The owner or person having custody that claims a captured Animal from a Peace Officer, shall pay impoundment and subsistence fees charged for the impoundment of the Animal.

3.7. Open Flame Fire Pits

- 3.7.1. Where Greenview and its agents are of the opinion that a fire hazard exists in a Park, they or the Park Attendant may, by erecting signs and notices for the purpose of prohibiting the setting, lighting or maintaining of fires in the Park.
- 3.7.2. Customers and Patrons shall not:
 - 3.7.2.1. leave a fire unattended;
 - 3.7.2.2. deposit or dispose of hot coals, ashes, embers or any other burning or smoldering material in a place other than a stove, fire pit or other place provided for that purpose by Greenview;
 - 3.7.2.3. set, light or maintain a fire in a Park or part of a Park, where signs or notices have been erected prohibiting such acts except in a fireplace, pit or other facilities designed for that purpose; and/or,
 - 3.7.2.4. allow a fire to spread.

3.8. Gaming and Liquor

- 3.8.1. The consumption of Liquor is permitted at Campsites and may be permitted in other areas as per the respective Park Schedule of Regulations.
- 3.8.2. Customers and Patrons shall not contravene the provisions of the Gaming and Liquor Act.

3.9. Projectile Weapons/Fireworks

- 3.9.1. Customers and Patrons shall not discharge a Projectile Weapon in a Park.
- 3.9.2. Customers and Patrons who are in possession of a Projectile Weapon in a Park shall ensure the Projectile Weapon is unloaded and, either disassembled or cased, and stored in compliance with the provisions of the Criminal Code of Canada and the Firearms Act.
- 3.9.3. Customers and Patrons, unless authorized in writing by Greenview, shall not set off fireworks in any part of a Park.

3.10. Non-Profit/Profit Business Operations

No Customers, Patrons or enterprises shall operate a business in a Park unless they have received written permission from Greenview for that purpose.

3.11. Day Use Areas

The operational hours of a Day Use Area are from 7:00 a.m. until 11:00 p.m., or as otherwise posted.

3.12. Camping

- 3.12.1. Customers and Patrons shall not remain overnight in a Park except:
 - 3.12.1.1. in an area designated for overnight use, unless they are authorized by a Peace Officer or have a valid Permit under this Bylaw to do so; or,
 - 3.12.1.2. where a Campground is developed with individual Campsites, or unless specifically stated in the Schedule of Regulations, the maximum allowable combination of Motor Vehicles, Camping Accommodation Units and pieces of towed equipment Permitted on an individual Campsite is 3 and of the 3, no more than 2 may be Camping Accommodation Units, unless a Park Attendant gives written permission to the contrary.
- 3.12.2. Customers and Patrons visiting Customers and Patrons camped in an individual Campsite, shall park their Motor Vehicle in a designated area and shall not obstruct the free flow of traffic.
- 3.12.3. Not more than 6 people may occupy overnight an individual Campsite unless, they are all members of a single-family unit, it is specifically stated otherwise in the Parks Schedule of Regulations or a Park Attendant gives written permission to the contrary.
- 3.12.4. No person shall Camp more than 14 consecutive days in the same Campsite without the written permission of a Park Attendant, unless a longer term is Permitted under the Park's Schedule of Regulations.

3.13. Group Use Camping

- 3.13.1. Group use sites will be determined by the Park's Schedule of Regulations.
- 3.13.2. A Permit will be issued by the Park Attendant or Peace Officer to Customers and Patrons 18 years of age or older.
- 3.13.3. The Permit holder shall:
 - 3.13.3.1. be responsible for all in/actions on the group use site; and,
 - 3.13.3.2. identify prior to their absence, multiple alternate customers or patrons who are 18 years of age or older and within their group, who accept responsibility for the group use site, to the Park Attendant.

4.0. LEGISLATION

4.1. Abandonment and Seizures

- 4.1.1. If a Motor Vehicle, Off Highway Vehicle, Camping Accommodation Unit, item or animal is parked, Abandoned or being used in contravention of the provisions of this Bylaw, a Peace Officer shall have the item removed to a secure location and the owner shall be liable for the associated costs.
- 4.2.1. Where a Peace Officer causes the removal or storage of a Motor Vehicle, Off Highway Vehicle, Camping Accommodation Unit or item, the cost of doing so:
 - 4.2.1.1. is the responsibility of the (registered) owner of the item;
 - 4.2.1.2. constitutes a lien on the item;
 - 4.2.1.3. may be recovered from the owner in an action for debt; and,
 - 4.2.1.4. must be paid before the item is released to the owner.
- 4.3.1. Any item that is stored and not retrieved by the owner within 30 days of its removal from a Park, the item and its contents shall be disposed of in accordance with the provisions of the Municipal Government Act regarding disposal of lost or unclaimed property.

5.0. AUTHORITY & ENFORCEMENT

5.1. Park Patrons and Customers

- 5.1.1. Customers and Patrons shall not:
 - 5.1.1.1. fail to comply with a lawful order or request of a Peace Officer; and/or,
 - 5.1.1.2. obstruct a Peace Officer in the execution of their duties.
- 5.1.2. A Peace Officer may remove any Customer, Patron or associated company who are in contravention of this Bylaw, the Schedule of Regulations or any other legislation.
- 5.1.3. Greenview at its discretion, may suspend offending Customers and Patrons from Parks for periods ranging from 72 hours to the lifetime of the offender.
- 5.1.4. Customers and Patrons who have been:

- 5.1.4.1. ordered removed from a Park, pursuant to this Bylaw, shall vacate the Park within 1 hour of notification and be suspended from all Parks for a 72 hour period; and/or,
- 5.1.4.2. suspended from a Park, pursuant this Bylaw, may at the discretion of a Peace Officer, only enter that Park with their accompaniment.
- 5.1.5. Customers and Patrons shall not enter or remain in a Park where travel or access restrictions have been imposed under any legislation.

5.2. Vehicles

Customers and Patrons shall not:

- 5.2.1. contravene the provisions of the Traffic Safety Act;
- 5.2.2. operate a Motor Vehicle within a Park, except on a Highway unless they have written authorization from a Peace Officer or Park Attendant; and/or,
- 5.2.3. operate an Off Highway Vehicle or any other such specialized means of conveyance, whether motor driven or propelled by human power, unless authorization is specifically outlined in the Schedule of Regulations or they have written authorization from a Peace Officer or Park Attendant.

5.3. Peace Officers

For the purpose of administering the Bylaw, a Peace Officer may:

- 5.3.1. refuse the entry of any person to a Park;
- 5.3.2. refuse the entry of a prohibited person to a Park;
- 5.3.3. enter on and inspect any land, road, structure in a Park;
- 5.3.4. order the removal of any unauthorized structure in a Park;
- 5.3.5. order any person in a Park to cease or refrain from any action, omission or conduct that in the opinion of a Peace Officer is an offence, dangerous to life or property or detrimental to the use and enjoyment of the Park by other persons;
- 5.3.6. require any person to inform them of their intended use of the Park; and,
- 5.3.7. remove any person making an unauthorized use of the Park.

5.4. Park Attendant

This section does not grant any authorities as a Peace Officer onto the Park Attendant. A Park Attendant, in the exercise and discharge of their powers and duties may:

- 5.4.1. refuse the entry of a prohibited person;
- 5.4.2. prohibit the entry of a Customer into the Park for non-payment of fees;
- 5.4.3. enter on and inspect any land, road, structure in a Park;
- 5.4.4. request Customers and Patrons cease from any action or conduct that may be dangerous to life or property or detrimental to the use and enjoyment of the Park by other persons; and,
- 5.4.5. issue an order to vacate a Campsite or Park.

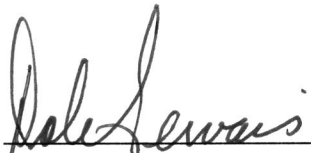
5.5. Penalties

- 5.5.1. Customers and Patrons who contravene any provision of this Bylaw are guilty of an offence and are liable on summary conviction to a fine of not more than \$10,000.00 per offence or imprisonment for not more than 1 year, or both, as specifically detailed in the MGA-S7i.ii or the Specified Penalties Appendix of this Bylaw.
- 5.5.2. Where a Peace Officer believes Customers and Patrons have contravened any provision of this Bylaw:
 - 5.5.2.1. they may serve upon such person a Violation Ticket in accordance with Part 2 of the Provincial Procedures Act;
 - 5.5.2.2. the specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in the appendix of this Bylaw in respect to that provision;
 - 5.5.2.3. where any person contravenes the same section of this Bylaw twice or more within a 12 month period, the specified penalty payable in respect of the second contravention shall be double the amount set out in the appendix; and,
 - 5.5.2.4. if a Motor Vehicle, Off Highway Vehicle, aircraft, boat, trailer or Camping Accommodation Unit is involved in a contravention of this Bylaw, the registered owner of that property is guilty of an offense.

Read a first time this 28th day of June, A.D., 2016.

Read a second time this 28th day of June, A.D., 2016.

Read a third time and passed this 12th day of July, A.D., 2016.


REEVE


CHIEF ADMINISTRATIVE OFFICER

APPENDIX 1.1. SPECIFIED PENALTIES

SECTION 3	OFFENSE:	Penalty
3.1.1.	Utilize an area in a Park without a valid Permit.	\$150.00
3.1.3.1.	Alter a Permit issued by the municipality.	\$150.00
3.1.3.2.	Transfer Permit to another person.	\$150.00
3.1.4.	Fail to have Permit available for inspection.	\$50.00
3.1.7.	Fail to remove property.	\$50.00
3.2.2.1.	Entering a Park without payment	\$50.00
3.2.2.2.	Fail to obey instruction, prohibitions or direction by sign, notice or Park Attendant.	\$100.00
3.2.2.2.	Customers or Patrons failure to Park in designated location.	\$150.00
3.3.1.	Interfere with rights of others to quiet and peaceful enjoyment.	\$250.00
3.3.2.	Allow generator to be operated during restricted hours.	\$250.00
3.3.3.	Allow a dog to bark or howl excessively.	\$250.00
3.4.1.	Fail to maintain land and improvements in a neat and tidy condition.	\$100.00
3.4.2.	Fail to restore land and improvements to a neat and tidy condition.	\$100.00
3.4.5.	Display unauthorized sign within a Park.	\$100.00
3.4.6.	Fail to use proper waste facility for solid or liquid waste.	\$250.00
3.4.7.	Disposal of commercial or residential waste in a Park.	\$250.00
3.4.8.	Failure to remove waste (litter).	\$250.00
3.4.9.	Bath, wash clothes, clean fish or utensils etc. at Water Body	\$150.00
3.4.10.	Unauthorized water removal from Park	\$100.00
3.5.1.	Remove, destroy, mutilate, deface, or misuse any property.	\$500.00
3.5.2.	Construct unauthorized object or buildings.	\$500.00
3.6.1.	Fail to keep Animal properly secured or restrained.	\$100.00
3.6.2.	Have Animal in a prohibited area.	\$150.00
3.6.3.	Fail to remove Animal defecation.	\$150.00
3.6.4.	Failure to control Animal.	\$150.00
3.7.1.	Light fire during Fire Ban.	\$500.00
3.7.2.1.	Leave fire unattended.	\$500.00
3.7.2.2.	Improperly dispose of hot coals, ashes in none approved appliance.	\$500.00
3.7.2.3.	Light fire in other than approved receptacle or location.	\$500.00
3.7.2.4.	Allow a fire to spread beyond an approved receptacle or location.	\$250.00
3.8.1.	Possess open Liquor when not in an approved area.	\$150.00
3.8.2.	Contravene the Gaming and Liquor Act.	\$150.00
3.9.1.	Discharge Projectile Weapon within a Park.	\$500.00
3.9.2.	Improperly decommission of a Projectile Weapon within a Park.	\$500.00
3.9.3.	Unauthorized discharge of fireworks within a Park.	\$500.00
3.10.	Carry out an unauthorized operation or business within a Park.	\$250.00
3.11.	Customer or Patron remains in Day Use after authorized hours of operation.	\$150.00
3.12.1.1.	Camping in unauthorized area.	\$150.00
3.12.1.2.	Excessive number of Camping Accommodation Units in a Campsite.	\$150.00

3.12.2.	Unauthorized parking or obstruction of traffic.	\$150.00
3.12.3.	Excessive number of people in Campsite.	\$150.00
3.12.4.	Remain longer than 14 days in Campsite.	\$150.00
3.13.3.	Failure of Permit holder to properly allocate responsibility for Campsite.	\$100.00

SECTION 5	OFFENSE:	Penalty
5.1.1.1.	Fail to comply with order issued by Peace Officer.	\$500.00
5.1.1.2.	Obstruct a Peace Officer.	\$500.00
5.1.4.1.	Failure to remain out of Parks for suspension period.	\$250.00
5.1.4.2.	Unauthorized re-entry following suspension.	\$250.00
5.1.5.	Occupying unauthorized area.	\$250.00
5.2.2.	Operate a vehicle in an unauthorized area of a Park.	\$250.00
5.2.3.	Operate prohibited means of conveyance in a Park.	\$250.00