

## BYLAW 2019-09

### A BYLAW OF THE COUNTY OF ST. PAUL NO. 19 IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND OPERATION OF PARKS AND CAMPGROUNDS UNDER THE JURISDICTION OF THE MUNICIPALITY.

**Whereas**, pursuant to section 7(a) of the *Municipal Government Act*, council may pass bylaws for municipal purposes respecting the safety, health and welfare and the protection of people and property;

**Whereas**, pursuant to section 7(b) of the *Municipal Government Act*, council may pass bylaws for municipal purposes respecting people, activities and things in, on or near a public place or a place that is open to the public;

**Whereas**, Council of the County of St. Paul No. 19 has established public parks and campgrounds that are owned and controlled by the County of St. Paul; and

**Whereas**, Council of the County of St. Paul No. 19 wishes to establish rules and regulations for the control and operation of its public parks and campgrounds.

**Now Therefore**, Council of the County of St. Paul No. 19, in the Province of Alberta, duly assembled, enacts as follows:

#### 1.0 TITLE

1.1 This Bylaw may be referred to as the “Parks Bylaw”.

#### 2.0 DEFINITIONS

2.1 In this Bylaw the following definitions apply:

- (a) **“Council”** means the Council of the County of St. Paul No. 19.
- (b) **“Director”** means the Director of the Community Services Department of the County of St. Paul No. 19, or his or her designate.
- (c) **“Off-Highway Vehicle”** has the same meaning as in the *Traffic Safety Act*, as amended or repealed and replaced, from time to time.
- (d) **“Park”** means land designated as park, campground or recreation area by Council.
- (e) **“Park Caretaker”** means a person appointed as a Park Caretaker pursuant to this Bylaw.
- (f) **“Park Rules”** means rules that are established pursuant to section 3 of this Bylaw governing access to, and conduct within, Parks.

### **3.0 PARK RULES**

- 3.1 The Director may adopt, amend, repeal and replace Park Rules, from time to time.
- 3.2 Without limiting the generality of section 3.1, Park Rules may address any or all of the following:
- (a) rules and procedures for reserving campsites within Parks;
  - (b) required and prohibited conduct within Parks; and
  - (c) consequences for failure to comply with Park Rules.
- 3.3 All persons shall comply with the Park Rules.

### **4.0 Camping**

- 4.1 No person shall camp in a Park unless a campsite for that person has been reserved in accordance with applicable Park Rules and any applicable fees and charges imposed by the County have been paid.

### **5.0 Authority of Park Caretakers**

- 5.1 A Park Caretaker may:
- (a) accept camping reservations in accordance with Park Rules;
  - (b) enter on and inspect any land, road structure or work within a Park;
  - (c) operate an Off-Highway Vehicle within a Park for the purpose of performing the Park Caretaker's duties;
  - (d) deny a person or vehicle entry to a Park, in accordance with Park Rules;
  - (e) order any person in a park to cease or refrain from any action, omission or conduct that, in the opinion of the Park Caretaker is dangerous to life or property or detrimental to the use and enjoyment of the park by other persons; and
  - (f) In consultation with the Director, order a person present in a Park to leave the Park, and cancel or revoke any camping reservation of that person, if that person has failed to comply with Park Rules, or otherwise acted in a manner that the Park Caretaker considers to be dangerous or detrimental.

### **6.0 Authority of the Director**

- 6.1 The Director may:
- (a) appoint Park Caretakers;

- (b) authorize a business or commercial activity to be operated in a Park;
- (c) order a person present in a Park to leave the Park, and cancel or revoke any camping reservation of that person, if that person has failed to comply with Park Rules, or otherwise acted in a manner that the Director considers to be dangerous or detrimental; and
- (d) in the case of conduct referred to in subsection (c) that is considered, by the Director, to be sufficiently serious, issue a written notice prohibiting that person from accessing one or more Parks for a specified period of time.

6.2 In determining whether to issue a prohibition under subsection 6.1(d), and in considering the length and terms of such a prohibition, the Director shall have regard to the severity of the conduct in question and the relevant past conduct of the person that is the subject of the prohibition, in addition to any other information that the Director considers relevant.

## **7.0 General**

7.1 It is the intention of Council that each separate provision of this bylaw shall be deemed independent of all other provisions, and if any provision of this bylaw be declared invalid, all other provisions shall remain valid and enforceable.

7.2 That Bylaw No. 1105 is hereby repealed.

READ A FIRST TIME IN COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019

READ A SECOND TIME IN COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019

READ A THIRD TIME IN COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019

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Reeve

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Chief Administrative Officer