

# CITY OF KELOWNA

## BYLAW NO. 9071

### Amendment No. 7 to “City of Kelowna Parks Bylaw No. 6819-91”

A bylaw to amend the “City of Kelowna Parks Bylaw No. 6819-91” in order to prohibit camping except in certain permitted circumstances and to provide for seizure and detention of camping equipment left in parks.

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The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. That City of Kelowna Parks Bylaw No. 6819 –91 be amended by:
  - (a) adding the following definitions to **PART 2 – DEFINITIONS** and by renumbering the existing sections in that part:
    - 2.3 “Camping Equipment” includes portable cooking equipment, sleeping bags or rolls, backpacks or packsacks, tents, tarps or lean-tos.
    - 2.4 “Campsite” includes any place of temporary abode and any place where camping equipment is left or stored.
  - (b) adding the following sections to **PART 3 – PROHIBITIONS**:
    - 3.33 No person shall take up temporary or permanent abode in or on any park.
    - 3.34 No person shall establish or set up a campsite in a park.
    - 3.35 No person commits an offence under section 3.33 or 3.34 by bringing camping equipment into a park that is used for picnicking or while the person takes temporary, but not overnight, respite in a park or where authorized by a permit issued under section 4.3.
  - (c) adding the following as a new **PART 5**, and renumbering the existing parts following it:

#### **PART 5 – SEIZURE AND DETENTION**

- 5.1 The Parks Manager, a peace officer or bylaw enforcement officer appointed by the Council, or City staff or contractor acting under the direction of the Parks Manager, may remove any camping equipment left or stored in a park and any other items comprising a part of a campsite in a manner contrary to the provisions of this bylaw and take such equipment to a place of safekeeping until it is returned to the owner or disposed of in accordance with section 5.4 of this bylaw.
- 5.2 For removal, detention and impounding of camping equipment pursuant to section 5.1 of this bylaw, the following fees are payable to the City prior to the owner being entitled to the return of the equipment:

- (a) For each occasion that the Parks Manager, or staff or contractor acting under his direction, or peace officer or bylaw enforcement officer, are engaged in the removal of the camping equipment to the place of detention and safekeeping: \$35.00; and
    - (b) For each day that the camping equipment is stored or detained: \$2.50 per day, to a maximum of \$75.00.
  - 5.3 The owner of any camping equipment or other items removed and detained pursuant to section 5.1 shall pay any applicable fees for the removal or detention prior to the City releasing the camping equipment and items to the owner.
  - 5.4 Upon the expiration of 30 days from any removal or detention under section 5.2 the City may put the camping equipment or other items up for sale by public auction and recover any fees accrued pursuant to section 5.2 from the proceeds of the sale, or may dispose of the seized items as deemed necessary.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 18<sup>th</sup> day of August, 2003.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk