

# **CITY OF KELOWNA**

## **BYLAW NO. 9852**

### **Amendment No. 13 to “City of Kelowna Parks and Public Spaces Bylaw No. 6819-91”**

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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 and Public Spaces Bylaw No. 6819-91 be amended by deleting PART 3 – PROHIBITIONS, Section 3.38 in its entirety and replacing it with the following:

“3.38 Any 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 or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act which constitutes an offence against the bylaw may be ordered to leave from any park or public space by the Parks Manager or any member of the Royal Canadian Mounted Police or Bylaw Enforcement Officer appointed by the Council of the City of Kelowna for a period of up to 48 hours.”
2. AND THAT PART 3 – PROHIBITIONS, be further amended by deleting Section 3.39 in its entirety and replacing it with the following:

“3.39 No person shall return to or enter any park or public space once that person has been ordered to leave for a period of up to 48 hours and each violation shall be considered a separate offence.”
3. AND FURTHER THAT PART 6 – PENALTIES, be amended by deleting Section 6.2 in its entirety and replacing it with the following:

“6.2 Every person who commits an offence against this bylaw is liable on conviction, to a fine of up to \$10,000.00, or liable to a term of incarceration for a period of not more than 90 days, or both. Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.”
4. This bylaw shall be cited for all purposes as “Bylaw No. 9852, being Amendment No. 13 to City of Kelowna Parks and Public Spaces Bylaw No. 6819-91”.
5. 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 10<sup>th</sup> day of September, 2007.

Adopted by the Municipal Council of the City of Kelowna this    day of    , 2007.

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Mayor

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City Clerk