

Report to Council



Date: June 14, 2012
File: 6130-00
To: City Manager
From: Ian Wilson, Park Services Manager
Subject: Parks and Public Spaces Bylaw Update

Recommendation:

THAT Council receives for information the report from the Park Services Manager, dated June 14, 2012 recommending changes to the Parks and Public Spaces Bylaw;

AND THAT Council gives reading consideration to Bylaw No. 10680 being the new "Parks and Public Spaces Bylaw";

AND THAT Bylaw No. 10681 being "Amendment No. 5 to Bylaw Notice Enforcement Bylaw No. 10475" be given reading consideration;

AND FURTHER THAT after adoption of Parks and Public Spaces Bylaw No. 10680 Council rescinds Dog Walking and Dog Off-Leash Areas Policy No. 258.

Purpose:

The Parks and Public Spaces Bylaw No. 6819-91 required updating and consolidation, and has been re-written to form a new bylaw 10680.

Background:

The Parks and Public Spaces Bylaw No. 6819-91 has been amended many times over the years, and staff felt that it should be re-written. Changes in the newly drafted bylaw No. 10680 include the following:

- Re-written and re-organized, removing references to previous additions or deletions;
- Added new definitions of 'chattels', 'owner' and 'prohibited animal';
- Replaced former definition of 'dog walking park' with 'dog on-leash park';
- Added section 3.7 dealing with unauthorized sportsfield use;
- Clarified the language in sections 3.3, 3.5, 3.9, 3.10, 3.16 and 3.27;
- Added "within any posted speed limits" to section 3.24;
- Added section 3.37, clarifying when a barbecue would be permitted in a park;

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- Added sections 3.40 - 3.43, to further define prohibited activities such as golfing, skiing, sledding, model aircraft, ballooning, any activity that creates a nuisance, and the use of tennis courts for activities other than the intended purpose.
- Section 4.3: added reference to Outdoor Events bylaw;
- Section 4.6: clarified process for park access permits;
- Replaced all references to “Civic Properties Manager” with “City Property Manager”;
- Part 5: added seizure of chattels;
- Schedules A-D: rewritten and updated with current pricing;
- Schedules E and F: added list of dog on- and off-leash parks;
- Schedule G: added one Equestrian park;
- Schedules H and I: added an official list of current and future park properties; and
- Overall bylaw language and grammar has been corrected and re-written for clarity.

With the addition of Schedules E and F (Dog On- and Off-Leash Parks), Council Policy No. 258, “Dog Walking and Dog Off-Leash Areas” is no longer needed and should also be rescinded.

The following changes are also recommended to Bylaw No. 10681 with regards to fines:

- Increase fine for section 3.5, make a fire in a park, from \$50 to \$345 to be consistent with the BC Wildfire Act;
- Add fine for Section 3.7, use of a closed sportsfield, at \$100;
- Increase fine for section 3.8, conducting an event without a permit, from \$100 to \$500;
- Increase fine for section 3.9, permit a dog in a park where prohibited, or dog running at large in a park, from \$75 to \$100;
- Increase fine for section 3.10, dangerous dog in a park, from \$150 to \$200;
- Add fine for section 3.13, prohibited animal in a park, at \$50;
- Add fine for section 3.38, use of barbecue outside of a permitted area in a park, at \$100;
- Add fine for section 3.41, golfing, skiing, sledding, snowboarding in a park, at \$100;
- Add fine for section 3.42, creating a nuisance in a park, at \$100; and
- Add fine for section 3.43, unauthorized operation of a balloon or model airplane in a park, at \$100.
- Add fine for section 3.44, unauthorized use of electricity or city utility, at \$100.

Internal Circulation:

Office of the City Clerk
 Infrastructure Planning
 Communications
 Property Management
 Fire Department
 Recreation Services

Legal/Statutory Authority - *Community Charter*

External Agency/Public Comments:

Circulated to RDCO Dog Control (no comments received)

Considerations not applicable to this report:

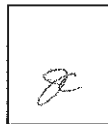
Alternate Recommendation
Legal/Statutory Procedural Requirements
Personnel Implications
Financial/Budgetary Considerations
Existing Policy
Community & Media Relations Comments

Submitted by:



I. Wilson, Park Services Manager

Approved for inclusion



Joe Creron, Director, Civic Operations

cc:
John Vos, General Manager Community Services