

CITY OF COQUITLAM

Bylaw No. 3617, 2004

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A Bylaw to establish regulations governing the use of Parks and Community Facilities on property owned or held by the City of Coquitlam for recreation or community uses.

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**WHEREAS:**

Section 8 of the Community Charter, provides that Council may, by bylaw, do one or more of the following:

- (a) acquire, hold, manage and dispose of land, improvements, personal property or other property and any interest or right in or with respect to that property;
- (b) establish any terms and conditions it considers appropriate;
- (c) delegate its powers, duties and functions....to its officers and employees.

Council deems it necessary and desirable that it exercise the authority granted to it by Section 8 of the Community Charter to establish regulations governing the management of property intended for recreation and community uses and to delegate certain powers to staff regarding the use of Parks and Community Facilities and conduct therein.

NOW THEREFORE THE COUNCIL FOR THE CITY in open meeting assembled HEREBY ENACTS AS FOLLOWS:

**PART I - GENERAL**

**NAME OF BYLAW**

This Bylaw may be cited for all purposes as “City of Coquitlam Parks and Community Facilities Rules and Regulations Bylaw No. 3617, 2004”.

**REPEAL OF EXISTING BYLAWS**

City of Coquitlam Park Rules & Regulations Bylaws 1321 (1966), 2032 (1971), 587 (1976), 695 (1977), 968 (1979), are hereby repealed in their entirety and this Bylaw substituted therefore.

## **PART II - DEFINITIONS**

In this Bylaw, unless the text requires otherwise,

**“Ancillary Activity”** means any activity that is deemed, by the Parks Manager, to complement or enhance the primary function of the Park or Community Facility;

**“City”** means the City of Coquitlam;

**“Community Facility”** means a building, recreation facility or other land improvement, including, but not limited to, recreation centres, pools, arenas, sportsfields, ball diamonds, gymnasias, picnic shelters and other recreation facilities located in a Park or on any other land which the City owns or controls by means of a lease, license or other legal instrument, that is intended for athletic, social or recreational use by members of the community;

**“Community Facility Manager”** means an employee of the City that has been assigned responsibility for the management and operation of City Parks or of any particular Community Facility, or his designate, as appointed from time to time;

**“Council”** means the duly elected Mayor and Council members of the City;

**“Contaminant”** means any substance, whether gaseous, liquid or solid, whether dissolved or suspended, that

- (a) injures or is capable of injuring the health or safety of a person
- (b) injures or is capable of injuring property or any life form
- (c) causes or is capable of causing material physical discomfort to a person, or
- (d) damages or is capable of damaging the environment;

**“Facility Use License”** means a license issued pursuant to this Bylaw for the use of Park or Community Facility or portion thereof;

**“Natural Park Feature”** means a tree, shrub, herb, flower, grass, turf or plant of any kind and all soil, sand, silt, gravel, rock, mineral, wood, fallen timber or other natural material within a park;

**“On-site Refuse”** means all refuse, garbage, food remains and other waste generated by persons using a Park or Community Facility while they are within the Park or Community Facility;

**“Organized Activity”** means any activity which is pre-planned, involves a group larger than a single family unit and which limits general public access to a portion of the Park or Community Facility or any activity that involves instruction or training;

**“Organized Sport”** means any game or sport which is played by three or more persons who play and/or practice together regularly as a team in a league or association;

**“Park”** means a park or parkland as defined in the *Local Government Act* or any other land used for leisure or recreation which the City owns or controls by means of a lease, license or other legal instrument, within the jurisdiction of the City;

**“Parks Committee”** means the standing committee appointed by the Mayor and Council for the consideration of Leisure & Parks issues in the City;

**“Parks Manager”** means the General Manager of Leisure & Parks Services, or the Division Managers of Leisure & Parks Services or their designates, as appointed from time to time;

**“Police Officer”** means a constable or person having the powers of a constable and includes any member of the local detachment of the RCMP;

**“Posted Notice”** means a sign or written notice which has been posted or affixed to a wall, post or notice board in a Park or Community Facility or which has been set out in a brochure or map relating to the Park or Community Facility;

**“Special Event”** means any event or activity conducted within a Park or Community Facility which attracts or is intended to attract participants or spectators and, without limiting that definition, includes an Organized Sport, festival, sports event, competition or tournament, group picnic, rowing regatta, horse show, dog show, or other animal event;

**“Trail”** means any footpath, pathway, trail or pedestrian access route in a City Park;

**“Wildlife”** means any wild animal, bird, reptile, insect, fish, marine animal or other indigenous creature.

### **PART III - REGULATING PARKS & COMMUNITY FACILITIES**

#### **1. DELEGATION OF POWERS**

- (1) The Parks Manager and Community Facility Manager are hereby authorized to grant or refuse any request for a Facility Use License for the conduct of any Organized Sport, Organized Activity, Special Event or any Ancillary Activity which under the provisions of this Bylaw requires a Facility Use License.
- (2) The Parks Manager and Community Facility Manager are hereby authorized to establish rules of behaviour and conduct in Parks and Community Facilities, provided that such rules are not inconsistent with this Bylaw or other regulations and to establish and enforce the consequences of violating said rules of behaviour.

## **2. COMMUNITY FACILITIES CLOSED TO FREE USE**

- (1) All existing Community Facilities and any Community Facilities constructed hereafter for which user fees are established are hereby closed to free use by the public except as otherwise indicated by each Community Facility.
- (2) Council may by Bylaw from time to time establish fees to be charged for issuance of a Facility Use License and for admission to each specific Community Facility or any portion thereof.
- (3) No person shall be admitted to or shall use any Community Facility unless such person pays the admission fee or the rental charge for the use of such facility as set by Bylaw from year to year.

## **3. HOURS OF PUBLIC USE OF PARKS**

- (1) No person shall enter upon or remain within a Park for any purpose whatsoever during the hours when the Park is closed as indicated by sign or Posted Notice, or where no hours are posted, between midnight and 5:00 a.m. except:
  - (a) a person who has a concession or lease granted by the City for a specified purpose;
  - (b) the private house guests of a resident-caretaker employed by the City;
  - (c) a person who has a valid Facility Use License permitting him to be in the Park during those hours;
  - (d) authorized City personnel.

## **4. FACILITY USE LICENCES**

- (1) No person or group shall use a Park or any portion of a park for other than a general public use nor shall any person conduct or hold an Organized Sport, Organized Activity, Special Event, or Ancillary Activity within a Park or Community Facility unless that person has obtained a valid Facility Use License authorizing them to do so.
- (2) Facility Use Licenses shall be in the form set out on Schedule "A" attached hereto, or such other form as shall from time to time be set by the City.
- (3) The Parks Manager or Community Facility Manager, in issuing a Facility Use License, may:
  - (a) place restrictions and limits on the Organized Sport, Organized Activity, Special Event or Ancillary Activity authorized by the Facility Use License as deemed necessary or desirable;

- (b) issue the Facility Use License subject to such terms and conditions as deemed necessary or desirable;
  - (c) require the person or group to whom the Facility Use License is issued to pay the fee established by Council in its Fees and Charges Bylaw or, where the Organized Sport, Organized Activity, Special Event, or Ancillary Activity has not been itemized in the Fees and Charges Bylaw, to pay a fee as determined by the Parks Manager or Community Facility Manager;
  - (d) require the person or group to whom the Facility Use License is issued to acquire and maintain insurance in an amount and form satisfactory to the City.
- (4) The Parks Manager or Community Facility Manager shall not be obliged to issue any Facility Use License and, without in any way limiting the generality of the foregoing, may amend, suspend, revoke or refuse to issue a Facility Use License to any person or group who has contravened the provisions of any previous Facility Use License issued to that person or group or contravened the provisions of this Bylaw or any other enactment.

## **5. PRESERVATION OF NATURAL FEATURES**

- (1) No person shall cut down or prune any vegetation in a Park without the express prior authorization of the Parks Manager or Community Facility Manager and then only in strict accordance with such authorization.
- (2) No person shall remove, destroy, damage, deface, break or tamper with any Natural Park Feature, or any building, structure, fence, float, wharf, piling, buoy, lifesaving device, bench, sign, road, trail or any facility, equipment, material or thing within a Park or Community Facility without the express prior authorization of the Parks Manager or Community Facility Manager and then only in strict accordance with such authorization.
- (3) No person shall foul or pollute or otherwise introduce any Contaminant on the land or into any natural stream, creek, ditch or pond, or any man-made water feature, fountain or pond within a Park or Community Facility.

## **6. ANIMALS**

- (1) No person shall ride or walk a horse on any part of a Park or Community Facility except on trails and other areas specifically designated for horse riding by signs or a Posted Notice.

## **7. FIREWORKS & FIRES**

- (1) No person shall discharge any fireworks in a Park or Community Facility without a valid Facility Use License and then only in strict accordance with the Facility Use License and with requirements established by the Fire Department and all other applicable enactments.
- (2) No person shall light or keep lit any fire in a Park or Community Facility unless specifically authorized by a valid Facility Use License, and then only in strict accordance with the Facility Use License and with requirements established by the Fire Department.

## **8. LITTER**

- (1) No person shall deposit anywhere within a Park or Community Facility any On-site Refuse except in waste receptacles provided for such purposes by the City.
- (2) Except for On-site Refuse, no person shall carry, transport or deposit refuse of any kind whatsoever into, or upon, a Park or Community Facility, nor deposit the same into waste receptacles provided by the City for On-site Refuse.

## **9. MOTOR VEHICLES AND MOTORIZED TRAFFIC**

- (1) The Parks Manager, Community Facility Manager, a City Bylaw Officer, or a Police Officer, may remove, or cause to be removed, any unauthorized motor vehicles, devices or machinery from any Park. The cost of the removal shall be charged to the owner thereof.
- (2) No person shall obstruct, impede or interfere with the passage of any person or Motor Vehicle lawfully using a road, trail, corridor or room within a Park or Community Facility unless such activity is specifically authorized by a valid Facility Use License.

## **10. COMMERCIAL SERVICES AND ACTIVITIES**

- (1) No person shall sell, exchange or barter, or expose or display for sale, any food, refreshments, goods, materials or services whatsoever, nor shall any person conduct any business or commercial activity in a Park or Community Facility unless that person has a valid Facility Use License or a lease arrangement with the City.
- (2) The Parks Manager or Community Facility Manager shall not issue a Facility Use License for any business or commercial activity in a Park or Community Facility unless the Parks Manager has determined that the business or commercial activity is an Ancillary Activity.
- (3) No person shall post, affix, deliver, paint, publish or distribute any notice, advertisement, sign, placard or handouts of any kind whatsoever in a Park or

Community Facility except on information boards provided expressly for that purpose unless that person has the prior express written authorization of the Parks Manager or Community Facility Manager.

- (4) No person shall operate or station any motor vehicle displaying advertising or equipped with a public address system in a Park or Community Facility for the purpose of advertising, promoting, demonstrating or attracting attention unless such activities are specifically authorized by a valid Facility Use License.

## **11. BEHAVIOUR AND CONDUCT**

- (1) The Parks Committee may prepare and Council may adopt policies related to appropriate behaviour and conduct in Parks and Community Facilities.
- (2) The Parks Manager or Community Facility Manager may post rules of behaviour and conduct in a visible location in a Park or Community Facility.
- (3) Every person within a Park or Community Facility shall observe and obey all Federal and Provincial statutes, City bylaws, regulations, enactments and policies including, without limitation, all signs and Posted Notices.
- (4) No person shall act in a disorderly, dangerous or offensive manner in a Park or Community Facility.
- (5) No person shall possess or consume liquor or alcoholic beverages within a Park or Community Facility without a valid Facility Use License and other legally required permits.
- (6) No person shall engage in activities involving high speed projectiles, including golf, archery, war games, radio controlled aircraft or cars in a Park or Community Facility unless such activities are specifically authorized by a valid Facility Use License.
- (7) No person shall camp or sleep overnight in a Park or Community Facility with or without a tent or other shelter of whatsoever kind, including a motor vehicle, unless such activities are specifically authorized by a valid Facility Use License and then only in accordance with the Facility Use License.
- (8) No person shall enter upon, walk, ice skate, cycle, drive or otherwise traverse in any manner whatsoever upon any body of water which is frozen or apparently frozen in any park unless and until:
  - (a) the thickness of the ice has been measured by the Parks Manager or Community Facilities Manager; and
  - (b) a notice has been posted, permitting a person to enter upon, walk, ice skate, cycle, drive or otherwise traverse upon the body of water described in the notice.

- (9) No person shall build or cause to be built any structure of any kind in a Park or Community Facility unless such activities are specifically authorized by a resolution of Council and comply with all City bylaws, permits, requirements and regulations.
- (10) Aside from authorized City staff, no person shall obstruct the free use and enjoyment of the Park or Community Facility by any other person except as authorized by a valid Facility Use License.
- (11) No person shall enter or bathe in any pool, stream or other water designated for bathing without a bathing suit.
- (12) No person shall use any device in any pool or bathing beach which, in the opinion of the lifeguard on duty, constitutes a hazard to any person using the pool or bathing beach.
- (13) No person shall interfere with or obstruct any employee of the City in the performance of his duty;
- (14) No person shall use or operate any device in such a manner as to disturb the enjoyment of the Park by other persons.
- (15) No person shall operate an internal combustion engine on Como Lake, Mundy Lake, Lost Lake or Lafarge Lake.

## **12. LOSS OF ACCESS RIGHTS**

- (1) Where the Parks Manager, Community Facility Manager or a Police Officer is of the opinion that a person or group within a Park or Community Facility is contravening any provision of this Bylaw, a Facility Use License or any other enactment, that person or group:
  - (a) must, at the request of the Parks Manager, Community Facility Manager or Police Officer, give their names and addresses and produce such identification as the Parks Manager, Community Facility Manager or Police Officer may require to verify their names and addresses;
  - (b) must cease contravening the provisions of the Bylaw, Facility Use License or other enactment;
  - (c) may be required by the Parks Manager, Community Facility Manager or Police Officer to leave the Park or Community Facility;
  - (d) may, on written notice from the Parks Manager or Community Facility Manager, forfeit their right of access to City Parks and Community Facilities for a period of time stipulated by the Parks Manager or Community Facility Manager; and
  - (e) may be required to comply with conditions related to that person's or group's future use of Parks and Community Facilities.



- (2) A person who is directed to leave a Park or Community Facility by a Parks Manager, Community Facility Manager or Police Officer:
  - (b) must immediately leave the land and premises, and
  - (c) must not enter on the land and premises again except with prior approval from the Parks Manager or Community Facility Manager.

**13. OFFENCES**

- (1) Every person who violates any of the provisions of this bylaw shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding the maximum penalty specified in the Offence Act, R.S.B.C. 1996, c.338 from time to time.
- (2) For purposes of determining if a contravention or violation of or failure to perform any provision of this Bylaw has occurred, each day of such contravention or failure will be deemed to be a separate offence.

Read a FIRST time this 15<sup>th</sup> day of March 2004

Read a SECOND time this 15<sup>th</sup> day of March 2004

Read a THIRD time this 15<sup>th</sup> day of March 2004

RECONSIDERED, FINALLY PASSED AND ADOPTED AND THE SEAL OF THE CITY OF COQUITLAM AFFIXED this 5<sup>th</sup> day of April, 2004