

THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

BY-LAW NO. 61-08

A By-Law to Regulate and Promote the Responsible Enjoyment and Use of Parks and Facilities

WHEREAS the *Municipal Act 2001*, as amended, allows a municipality to pass by-laws pertaining to culture, parks and recreation and the health, safety and well-being of persons;

AND WHEREAS the Municipal parks and facilities are provided for the use, benefit and pleasure of the public;

AND WHEREAS it is deemed necessary to prevent any person from interfering with such use, benefit or pleasure;

NOW THEREFORE the Council of the Municipality of North Grenville enacts as follows:

1.0 DEFINITIONS

In this by-law:

- 1.1 “alcoholic beverage” shall mean spirits, liquor, beer, wine or any combination thereof and includes any alcohol in a form appropriate for human consumption as a beverage alone or in combination with any other substance;
- 1.2 “animal” shall mean any member of the animal kingdom, other than a human, and includes birds;
- 1.3 “By-Law Officer” shall mean a person appointed by the Council of the Municipality of North Grenville as a Municipal Law Enforcement Officer to enforce the provisions of the by-law;
- 1.4 “Director” shall mean the Director of Parks, Recreation and Culture of the Municipality of North Grenville or authorized designates, unless otherwise specified;
- 1.5 “facility” shall mean any area, pool, building or structure in a park under the jurisdiction of the Parks, Recreation and Culture Department of the Municipality of North Grenville;
- 1.6 “Municipality” shall mean The Corporation of the Municipality of North Grenville or the geographic area of North Grenville as the context requires;
- 1.7 “park” shall mean a playground, playing field, ball diamond, sports field, beach, recreation centre, community building, facility, square, garden, water, pedestrian walkway or any other area owned, leased or used by the Municipality and devoted to active or passive recreation and includes any lane or walkway or public parking area leading thereto;
- 1.8 “person” shall mean any individual, association, firm, partnership, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law;
- 1.9 “Police Chief” shall mean the Officer in charge of the Grenville County Detachment (North Grenville) of the Ontario Provincial Police or authorized assistants or persons acting under his or her authority;
- 1.10 “service animal” shall mean an animal trained by a recognized school for service as a guide dog for the blind or visually-impaired, a guide dog for the deaf or hearing-impaired, a police services dog while on duty, a special skills dog for other disabled persons and includes an animal used in therapy, registered with a recognized organization for that purpose;

- 1.11 "sports field" shall mean an area in a park set aside for use in sports, such as football, soccer, rugby and cricket, requiring an open field space;
- 1.12 "swimming pool" shall mean any swimming or wading pool or spray pad under the jurisdiction of the Recreation Department of the Municipality of North Grenville;
- 1.13 "waste" shall mean paper, bottles, broken glass, cans, rags, garbage, rubbish, debris or refuse of any kind.

2.0 GENERAL

- 2.1 No person, except a person acting under the authority of a permit issued by the Director, shall:
 - a) remain or enter into any park between the hours of 11:00 p.m. and 6:00 a.m. except as a participant or spectator of a function approved by the Director;
 - b) set off fireworks in a park;
 - c) damage, deface or remove any vegetation, building or equipment in a park or a park building;
 - d) pollute any stream, drainage ditch, river or pond in a park;
 - e) possess alcoholic beverages in a park;
 - f) hunt, kill, injure or disturb any wildlife in a park;
 - g) leave or deposit any waste, except in a receptacle provided for that purpose.
- 2.2 The provisions contained in Section 2 of this by-law do not apply to:
 - a) an employee of the Municipality while engaged in the performance of his or her municipal duties; and,
 - b) a member of a police service while engaged in the performance of his or her police duties.

3.0 SPORTS AND ACTIVITIES

- 3.1 Sports and other physical activities are encouraged in our community parks, where the size of the park is appropriate for such activity, and where it does not interfere with the enjoyment of the park by other users, and where playing the sport does not put neighbouring property owners, pedestrians or other users at risk of physical injury or damage to their property. Organized sporting events should take place only in designated fields or areas designated for such use by the Director.
- 3.2 The spring opening and fall closing of all sports fields shall be at the discretion of the Director.
- 3.3 No person shall play golf, drive a golf ball or use golf clubs or other like equipment or drive a golf cart in a park except in an area designated by the Director for that purpose.

4.0 SWIMMING

- 4.1 No person shall:
 - a) enter a swimming pool, except with the permission of the Director and subject to the conditions associated with such permission and only at the times designated for swimming,
 - b) fail to obey the instructions of a lifeguard or any other person appointed by the Director to oversee the facility,
 - c) throw any article in any pool, fountain, pond, lake or stream that is likely to endanger any person or wildlife, or to pollute the waters, or

5.0 ANIMALS

- 5.1 No person shall permit a dog to be in a park without being securely leashed to that person on a leash or chain of a length of 2 metres or less;
- 5.2 No person shall allow a dog in their care to defecate in a park without immediately removing and properly disposing of the excrement.
- 5.3 Section 5.2 of this by-law shall not apply to service animals.
- 5.4 The Director may permit animals to be brought into a park for specific events, if the applicant files with the Director a request for a specific event indicating the time, date, place and purpose together with any additional information requested by the Director.

6.0 PERMITS

- 6.1 The Director may issue a permit to a person for the use of all or a portion of a park or park building subject to such terms and conditions as the Director may consider reasonable, desirable and appropriate.

7.0 ENCROACHMENT

- 7.1 No person, being the owner or tenant of land adjacent to a park, shall cause or permit:
- a) planting of any hedge, tree, shrub or garden,
 - b) construction of any fence, storage shed, retaining wall or other structure of any kind,
 - c) keeping of any composting receptacle or pile, or
 - d) placing of any string, wire, chain, rope or similar material, on park property.

8.0 MISCELLANEOUS

- 8.1 No person shall engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior in a park.
- 8.2 No person shall engage in any activity so as to interfere with or become a nuisance to the general public using the park.
- 8.3 The Director may, at any time and at his or her discretion, temporarily or permanently close to the public a park, a portion of a park or a building in a park due to inclement weather or other circumstances deemed appropriate by the Director.

9.0 EXEMPTIONS

- 9.1 The provisions of this by-law shall not apply to the Municipality of North Grenville or its agents, employees or contractors during the course of performing their duties in relation to park construction, maintenance or other necessary activities.
- 9.2 The provisions of this by-law shall not apply to the Ontario Provincial Police or other bona fide emergency service providers.

10.0 INTERPRETATION

- 10.1 In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.

10.2 It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

11.0 ENFORCEMENT

11.1 The by-law shall be enforced by the By-Law Officers of the Municipality of North Grenville or the Police Chief.

12.0 OFFENCES AND PENALTIES

12.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence.

12.2 Every person who is convicted of an offence under this by-law is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, as amended.

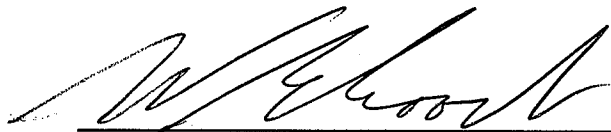
12.3 Every person who acts in contravention of this by-law so as to cause the Municipality to incur costs due to his or her actions shall, in addition to any penalty provided for herein, be liable to the Municipality for all expenses incurred for the purpose of repairing or replacing damaged property or removing unauthorized materials, and such expenses may be recovered by court action or in a like manner as municipal taxes.

13.0 GENERAL

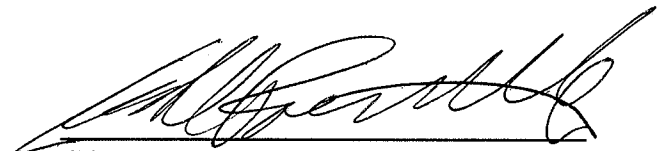
13.1 This by-law may be cited as the "Municipality of North Grenville Parks By-Law".

13.2 This by-law shall come into force and take effect on the date of passing.

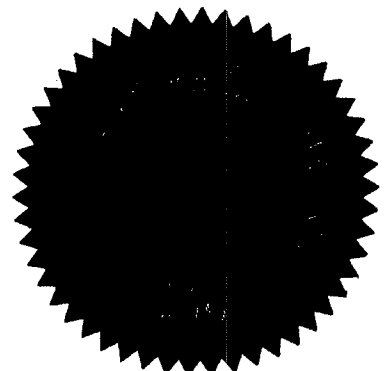
ENACTED AND PASSED
THIS 11TH DAY OF AUGUST, 2008.



BILL GOOCH
Mayor



CAHL POMINVILLE
Clerk



CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

Schedule 'A' to By-Law No. 61-08

Set Fines

Once ratified by all parties, short form wordings will be compiled and application for approval from the Ministry of the Attorney General will be filed.