

BY-LAW 1775

OF THE TOWN OF FORT MACLEOD

Being a By-Law of the Town of Fort Macleod for the regulation of Parks.

WHEREAS, the Municipal Government Act, chapter M26 RSA 2000, as amended, provides a Council may pass by-laws for the regulation and controlling of Parks.

NOW THEREFORE, the council of the Town of Fort Macleod, duly assembled, enacts as follows:

1) **This By-Law shall be known as the "Parks Bylaw"**.

2) **Definitions**

- a) "Council" means, the Council of the Town.
- b) "Wilderness Park Committee" means, a committee appointed by Council to make recommendations on the development, operations and regulations of and for the park.
- c) "Facility" means, any man made structure in the park including but not limited to fences, signs, trails, roads, benches, buildings, utility structures, playground apparatus, etc..
- d) "Highway" means as is defined by the "Traffic Safety Act"
- e) "Manager" means, the Municipal Manager of the Town as appointed by Council.
- f) "Off Highway Vehicle" is as defined in the "Traffic Safety Act and its Regulations"
- g) "Park" when used as a noun means all park spaces as designated in Municipal Zoning within the Town of Fort MacLeod limit.
- h) "Park" when used as a verb means the same as defined by the "Traffic Safety Act"
- i) "River Valley Wilderness Park" means the area as defined by Appendix A and all of the facilities therein also defined in this appendix and forthwith also subject to the bylaw as a "Park"
- j) "Peace Officer" means any Bylaw Officer as appointed by the Town; Community Peace Officer; or member of the Police Service of Jurisdiction
- k) "Town Vehicle" means any vehicle utilized by any Town Employee or Contractor who is in service of the Town
- l) "Vehicle" means the same as defined in the "Traffic Safety Act"

RIVER VALLEY WILDERNESS PARK

- 3) a) Council may establish a Committee to provide community input for the management and operations of the Park.
- b) For management purposes, the park is divided into the following four areas:
 - Area 1: North East of River & Hwy 811
 - Area 2: North West of River & Hwy 811
 - Area 3: South Side Of River
 - Area 4: West of Area 2, Natural Areaas identified on Appendix "A" of this By-Law.
- 4) a) Area 4 is designated as a Natural Area. Accordingly, no development of any kind is to be undertaken in this area, including trails, paths, etc..
- b) The Manager or his designate may close the park or portions of the park for such hours as he may deem appropriate where in his opinion it is necessary due to flooding, vandalism, maintenance activities, etc.
- 5) **FENCES**
 - a) No person shall damage or cause to be damaged any fence any park.
 - b) No person shall open or close any gate in any fence unless so authorized by the Manager.
- 6) **SIGNS**
 - a) The Manager is authorized to place signage in any park as is deemed appropriate.
 - b) No person shall disobey a directive sign placed in any park.
 - c) No person shall damage or cause to be damaged any sign in any park.

DAMAGE

- 7) No person shall damage, destroy or remove:
- a) A structure, fixture, sign or other facility in any park;
 - b) Vegetation, soil, sand, gravel, wood or any other material located in any park.

WASTE DEPOSIT

- 8) a) No person shall deposit any waste of any nature or kind in any park except in the waste receptacles provided.
b) Depositing household waste in the waste receptacles is prohibited.

PARK USE

- 9) No person shall engage in an activity in any park which may:
- a) Injure any other person using any park;
 - b) Damage any park;
 - c) Be incompatible with other common uses in the park.

- 10) No person shall, in any park, engage in:

- a) Archery;
- b) The discharge of firearms;
- c) The use of a slingshot;
- d) The shooting of a projectile of any nature.

- 10.1) Archery is permitted at an area designed specifically for archery

CAMPING

- 11) No person shall camp or erect a shelter of any kind in any park unless camping is designated.

VEHICLES

- 12) a) No person shall operate a vehicle in any park, except on a roadway provided for such use.
b) No person shall park a vehicle in any park except in an area designated for such use.
c) No person shall operate an off highway vehicle in any park.
d) No person shall operate a horse drawn vehicle in any park except on a roadway provided for such use.
e) No person shall operate a vehicle in the park in excess of 30 kilometers per hour as posted or at such lesser speed as otherwise posted inside the River Valley Wilderness Park.
f) The Manager may authorize an employee or agent of the Town to operate a Town Vehicle as is necessary.

FIRES

- 13) No person shall start or maintain a fire in any park without authorization or unless it is in a camping area where it is designated for fire pit usage.

ANIMALS

- 14) a) No person shall permit an animal owned or controlled by him to be in any park unsupervised.
b) Horses are allowed only in those areas of the park indicated on appendix "B" of this By-Law, "Equestrian Use Areas" of the River Valley Wilderness Park.
c) Horses shall not be allowed on upgraded trails anywhere within Park.
d) For maintenance purposes only, the Manager may authorize the maintenance person to "ride fence".

SALE OF GOODS AND SERVICES AND ADVERTISING

- 15) a) No person shall make available for sale goods or services in any park unless authorized to do so by the Manager.
b) No person shall advertise or publicize within any park.
c) Use of the Park for commercial equestrian purposes (trail rides, horse drawn vehicles, etc.) must be covered by an agreement with the Town for the River Valley Wilderness Park

PARKS HOURS

- 16) a) No person shall be in a Town Park after the hours of 11:00 p.m. until 5:00 a.m. of the following day.
- b) Section 16 shall not apply where camping is permitted; or a permit has been taken out to allow for an event as per the Town's Events Bylaw.

ENFORCEMENT

- 17) a) Any Peace Officer who finds any person in contravention of this bylaw may take all reasonable steps to prevent the continuance of the violation.
- b) No person shall interfere with; provide false information to; or fail to comply with the request of a Peace Officer while enforcing this bylaw.

PENALTY PROVISIONS

- 18) a) A person who contravenes sections 5 to 15 a provision of this By-Law is guilty of an offense and upon summary conviction is liable to a fine not less than two hundred and fifty dollars (\$250.00) and not exceeding two thousand five hundred (\$2,500.00) dollars and or 6 months in prison.
- b) A person who contravenes section 16(b) of this bylaw is guilty of an offense and upon summary conviction is liable to a fine of not less than five hundred dollars (\$500.00) and not exceeding two thousand five hundred (\$2,500.00) dollars and or 6 months in prison.
- 19) This bylaw repeals bylaw 1546 River Valley Park Bylaw
- 20) This By-Law comes into force on the date of third and final reading thereof.

READ A FIRST TIME THIS 15TH DAY OF OCTOBER 2013 A.D.

Previous Mayor: Shawn Patience
MAYOR
MUNICIPAL MANAGER

READ A SECOND TIME THIS 12 DAY OF November 2013 A.D.

[Signature]
MAYOR
MUNICIPAL MANAGER

READ A THIRD TIME AND FINALLY DECLARED PASSED BY COUNCIL THIS 12 DAY OF November 2013 A.D.

[Signature]
MAYOR
MUNICIPAL MANAGER