



City of Richmond

Report to Committee

To: Parks, Recreation and Cultural Services
Committee

Date: November 21, 2001

From: J. Richard McKenna
City Clerk

File: 8060-20-7130

Re: **Public Parks and School Grounds Regulation Bylaw No. 7310**

Staff Recommendation

That Public Parks and School Grounds Regulation Bylaw No. 7310 be introduced and given first, second and third readings.

J. Richard McKenna
City Clerk

Att. 1

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Parks Administration & Programs	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Law	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

The attached bylaw, No. 7310, is a revised version of the Public Parks & School Grounds Regulation Bylaw No. 6959, which was adopted in May of 2000, and subsequently amended in July of 2001. The new bylaw has been brought forward to delete the title of "General Manager, Community Services" which no longer exists in the organization, and to replace it with the new position of "General Manager, Parks, Recreation & Cultural Services". This a minor but important change because certain General Manager positions are given specific authority under the bylaw. In addition, a minor clarification has been made to the definition of "Park" to include "Parked/Parking" and to the definition of "Stop" to include "Stopped/Stopping", thereby making these definitions consistent with other City bylaws. In all other respects the bylaw is identical to the one it is replacing.



CITY OF RICHMOND

***PUBLIC PARKS AND SCHOOL GROUNDS
REGULATION***

BYLAW NO. 7310

EFFECTIVE DATE -

PUBLIC PARKS AND SCHOOL GROUNDS REGULATION

BYLAW NO. 7310

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CITY OF RICHMOND

**PUBLIC PARKS AND SCHOOL GROUNDS REGULATION
BYLAW NO. 7310**

The Council of the City of Richmond enacts as follows:

PART ONE: OUTRIGHT PROHIBITIONS

1.1 General Prohibitions

1.1.1 A person must not:

- (a) conduct himself or herself in a disorderly or offensive manner;
- (b) obstruct the free use and enjoyment of any **public park** or **school ground** by any other person; or
- (c) loiter to take up a temporary abode overnight

in any **public park** or **school ground**.

1.2 Vehicles and Bicycles - Prohibitions

1.2.1. A person must not:

- (a) drive or operate any **vehicle** on any blacktop or gravelled or grassed area, except:
 - (i) for the purpose of parking in an authorized area; or
 - (ii) on business sanctioned by the **General Manager of Engineering and Public Works**, or the **General Manager of Parks, Recreation & Cultural Services**, in the case of property under the jurisdiction of the **City**; or
 - (iii) on business sanctioned by the **Superintendent of Schools**, in the case of property under the jurisdiction of the **School District**, or
- (b) **stop** or **park** or operate any **vehicle** on any grassed area other than in an authorized area

in any **public park** or **school ground**.

1.2.2. A person must not operate, ride or place a **vehicle** or bicycle on the Minoru running track located in Minoru Park.

1.3 Plants and Vegetation – Prohibitions

- 1.3.1. A person must not remove, harvest, pick or damage any plant life or vegetation, including trees, shrubs, flowers, fruit and vegetables in or from any **public park or school ground**.

1.4 Athletic and Recreational Facilities - Prohibitions

- 1.4.1. A person must not misuse, abuse, damage or interfere with any athletic or recreational facility or equipment in any **public park or school ground**.

1.5 Miscellaneous Prohibitions

- 1.5.1. A person must not launch any power rocket in any **public park or school ground**.

1.6 Animals - Prohibitions

- 1.6.1 A person must not molest, disturb, frighten, injure, trap or snare any bird, animal, or fish in any **public park or school ground**.

- 1.6.2 A person who owns an animal or has the care, custody or control of an animal, must:

- (a) keep such animal from entering or remaining in any swimming pool, or wading pool or water park; and
- (b) ensure that any animal under the control of such person does not molest, disturb, frighten, injure, trap or snare any bird, animal, or fish

located in a **public park or school ground**.

PART TWO: PROHIBITED ACTIVITIES – EXCEPT IN DESIGNATED AREAS

- 2.1** A person must not undertake any of the following activities in any **public park or school ground**, except in an area specifically designated for such activity:

- (a) play or practice the game of golf, including the use of golf clubs for any purpose whatsoever;
- (b) fly a gas model airplane;
- (c) light any fire or barbeque;
- (d) carry or discharge a **firearm**; or
- (e) ride, herd or lead any horses or cattle.

- 2.2** A person must not put any shot, or throw any hammer, discus, or javelin, except:
- (a) in an area within Minoru Park specifically designated for such activities; or
 - (b) under the direct supervision of an employee designated by the **Superintendent of Schools**.

PART THREE: PROHIBITED ACTIVITIES – EXCEPT WITH WRITTEN AUTHORIZATION

3.1 Prohibited Activities Requiring Authorization

- 3.1.1** A person must not undertake any of the following activities in any **public park** or **school ground**, without first receiving written authorization under the provisions of Part Four:
- (a) use a bow and arrow or practice archery;
 - (b) operate a go-kart; or
 - (c) fire or explode any combustible or other explosive material.

3.2 Hours of Public Park and School Ground Closures

- 3.2.1** A person must not enter or remain in any **public park** or **school ground** between the hours of 11:00 p.m. and 5:00 a.m., where prohibited by sign, with the following exceptions:
- (a) to attend a community facility during operating hours;
 - (b) the Richmond Skateboard Park;
 - (c) the No. 3 Road Pier;
 - (d) the No. 7 Road Pier Park;
 - (e) the No. 2 Road Pier at London' s Landing Park;
 - (f) the Gilbert Beach;
 - (g) the Burnett/Thompson Community School/Park site;
 - (h) the Hamilton School/Park site; or
 - (i) as specified in a written authorization under the provisions of Part Four.

3.3 Special Authority to Close Public Parks and School Grounds

- 3.3.1** Notwithstanding the provisions of Section 3.1 or 3.2, either:
- (a) the **General Manager, Engineering & Public Works**, or the **General Manager of Parks, Recreation & Cultural Services**, in the case of property under the jurisdiction of the **City**; or
 - (b) the **Superintendent of Schools**, in the case of property under the jurisdiction of the **School District**,

may close any **public park** or **school ground** where the circumstances so warrant.

3.4 Exemptions

3.4.1 The provisions of Section 3.1 and 3.2 do not apply to:

- (a) a **police officer**;
- (b) the **General Manager, Engineering & Public Works**, or the **General Manager of Parks, Recreation & Cultural Services**; or
- (c) the **Superintendent of Schools**

in the performance of their duties.

PART FOUR: WRITTEN AUTHORIZATIONS

4.1 Procedure for Written Authorization

4.1.1 Notwithstanding the provisions of Part Three, a prohibited activity may be carried on within a **public park** or **school ground** if an applicant organization or person first receives written authorization for such activity from:

- (a) the **General Manager of Parks, Recreation & Cultural Services**; in the case of property under the jurisdiction of the **City**;
- (b) the **Superintendent of Schools** in the case of property under the jurisdiction of the **School District**; or
- (c) the **General Manager of Parks, Recreation & Cultural Services**, together with the **Superintendent of Schools**, in the case of property under the joint jurisdiction of the **City** and the **School District**

whichever is applicable.

4.1.2 A written authorization given in accordance with subsection 4.1.1 may contain restrictions as to the times and specific places where such activities may be carried on, together with any other restrictions considered appropriate.

PART FIVE: VIOLATIONS AND PENALTIES

5.1 Any person who:

- (a) violates or who causes or allows any of the provisions of this bylaw to be violated; or
- (b) fails to comply with any of the provisions of this bylaw; or
- (c) neglects or refrains from doing anything required under this bylaw; or
- (d) who permits any act or thing to be done in contravention of any of the provisions of this bylaw;

is deemed to have committed an infraction of, or an offense against, this bylaw, and is liable on summary conviction, to the penalties provided for in the *Offence Act*, and each day that any such violation is caused or allowed to continue constitutes a separate offence.

PART SIX: INTERPRETATION

6.1 In this bylaw, the following words have the following meaning:

BYLAW ENFORCEMENT OFFICER	means a bylaw enforcement officer of the City .
CITY	means the City of Richmond.
COUNCIL	means the Council of the City .
FIREARM	means a rifle, pistol, or shotgun and includes air guns, air rifles, air pistols and spring guns but does not include firearms used for the discharge of blank ammunition in connection with an athletic or sporting event.
GENERAL MANAGER OF ENGINEERING & PUBLIC WORKS	means the person appointed by Council to the position of General Manager of Engineering & Public Works, and includes a person designated as an alternate.
GENERAL MANAGER OF PARKS, RECREATION & CULTURAL SERVICES	means the person appointed by Council to the position of General Manager of Parks, Recreation & Cultural Services, and includes a person designated as an alternate.
PARK/PARKED/PARKING	means the standing of a vehicle, whether occupied or not, other than up to 5 minutes for the purpose of, and while actually engaged in, loading or unloading of property, goods, or the discharging or taking on of passengers, or in compliance with the directions of: <ul style="list-style-type: none"> (a) a police officer, a bylaw enforcement officer, or a person contracted by the City for traffic regulation purposes, or (b) a traffic control device.
POLICE OFFICER	means a member of the Royal Canadian Mounted Police.

PUBLIC PARK/SCHOOL GROUND

means and includes public parks, playgrounds, paths, trails, beaches, swimming pools, arenas, community recreation centres, golf courses, sports and playing fields, buildings and other public places under the custody, care, management and jurisdiction of the **City**, and includes school grounds under the jurisdiction of the **School District**.

SCHOOL DISTRICT

means School District No. 38 (Richmond).

STOP/STOPPED/STOPPING

means:

- (a) when required, a complete cessation from movement, and
- (b) when prohibited, the stopping or standing of a vehicle, whether occupied or not, except:
 - (i) when necessary to avoid conflict with other traffic, or
 - (ii) in compliance with the directions of a **police officer, a Bylaw Enforcement Officer or traffic-control device**.

SUPERINTENDENT OF OF SCHOOLS

means the person appointed by the Board of School District No. 38 (Richmond) to the position of Superintendent of Schools, and includes the person designated as an alternate.

TRAFFIC CONTROL DEVICE

means a sign, line, meter, marking, space, barrier, or device; painted, placed or erected; to guide, regulate, warn, direct, restrict, control or prohibit traffic and parking.

VEHICLE

means the interpretation given in the *Motor Vehicle Act*, and includes motor vehicle and motorcycle, as defined in that *Act*.

PART SEVEN: PREVIOUS BYLAW REPEAL

- 7.1 Public Parks and School Grounds Regulation Bylaw No. 6959 (adopted on May 8, 2000), and Amendment Bylaw No. 7226 (adopted July 23, 2001) are repealed.

PART EIGHT: SEVERABILITY AND CITATION

- 8.1 The provisions of this bylaw are severable, and if, for any reason, any part, section, subsection, clause, or sub-clause, or other words in this bylaw are for any reason, found to be invalid or unenforceable by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

8.2 This bylaw is cited as "Public Parks and School Grounds Regulation Bylaw No. 7310".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK