



CITY OF RICHMOND

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

BYLAW NO. 8771

EFFECTIVE DATE -

CNCL - 258

PUBLIC PARKS AND SCHOOL GROUNDS REGULATION

BYLAW NO. 8771

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CITY OF RICHMOND

**PUBLIC PARKS AND SCHOOL GROUNDS REGULATION
BYLAW NO. 8771**

The Council of the City of Richmond enacts as follows:

PART ONE: GENERAL

1.1 Application

1.1.1 The prohibitions in this bylaw do not apply to:

- (a) any **City** officer or employee in the performance of his or her lawful duties;
- (b) any **City** agent, contractor or volunteer, working under the supervision of a **City** officer or employee, in the performance of his or her lawful duties at the **City's** request;
- (c) any **School District** officer or employee in the performance of his or her lawful duties;
- (d) any **School District** agent, contractor or volunteer, working under the supervision of a **School District** officer or employee, in the performance of his or her lawful duties at the **School District's** request; or
- (e) a **police officer** in the performance of his or her lawful duties.

1.1.2 The **School District** has granted the **City** the authority to enforce this bylaw on **school grounds**, as set out by resolution of the Board of Education of the **School District**.

PART TWO: PROHIBITED ACTIVITIES

2.1 General – Prohibitions

2.1.1 A person must not:

- (a) conduct himself or herself in a disorderly or offensive manner;
- (b) behave in a manner that endangers him or herself;
- (c) harass, disturb, frighten, endanger or injure any other person;
- (d) interfere with **CNCL 260** the lawful free use and enjoyment of any **public park** or **school ground** by any other person;

- (e) interfere with, obstruct, impede, hinder or prevent:
 - (i) any **City** officer or employee in the performance of his or her lawful duties;
 - (ii) any **City** agent, contractor or volunteer in the performance of his or her lawful duties at the **City's** request;
 - (iii) any **School District** officer or employee in the performance of his or her lawful duties; or
 - (iv) any **School District** agent, contractor or volunteer in the performance of his or her lawful duties at the **School District's** request; or
- (f) violate any bylaw, rule, regulation, notice or order of the **City**;
in any **public park** or **school ground**.

2.2 Water – Prohibitions

2.2.1 A person must not:

- (a) pollute, obstruct or impede the flow of; or
- (b) cause or allow to discharge or run to waste;

any natural or manmade body of water, waterway, watercourse or waterworks, including but not limited to a fountain, pool, well, hydrant, hose, tap, ditch, slough, brook, river, stream, creek, lake, pond, drain or sewer, running through or situated partially or fully in any **public park** or **school ground**, unless authorized to do so by **City** signage or written authorization from the **City** under the provisions of Part Six.

2.3 Vehicles and Transportation – Prohibitions

2.3.1 A person must not:

- (a) drive, operate, **stop, park** or leave a **vehicle**, trailer, golf cart/buggy, scooter, moped, ridden or herded **animal** or other mode of transportation, not including a device designed to be moved by human power, on any blacktop, gravelled, sanded or grassed area not designated as a public road or for public parking in any **public park** or **school ground**;

- (b) **stop, park** or leave a **vehicle**, trailer, golf cart/buggy, scooter, moped, ridden or herded **animal** or other mode of transportation, not including a device designed to be moved by human power, in an area specifically designated for public parking in any **public park** or **school ground**:
 - (i) for a purpose other than visiting the **public park** or **school ground**;
 - (ii) when the person is not within the **public park** or **school ground**; or
 - (iii) between the hours of 11:00 p.m. and 5:00 a.m., or as otherwise posted, without first receiving written authorization under the provisions of Part Six; or
- (c) drive, operate, ride, **stop, park** or leave a **vehicle**, trailer, golf cart/buggy, moped, scooter, bicycle, skateboard, skates, rollerblades, ridden or herded **animal** or other mode of transportation, regardless of motive power, on any artificial turf field or the Minoru Park running track without first receiving written authorization under the provisions of Part Six.

2.3.2 The provisions of Section 2.3.1 do not apply to any single-person-use transport, such as a wheelchair or scooter, required by a person with a disability for mobility-assistance purposes.

2.4 Plants and Vegetation – Prohibitions

2.4.1 A person must not climb, harvest, pick, cut, prune, break, injure, damage, deface, destroy, remove, misuse, abuse or interfere with any plant life or vegetation, including but not limited to trees, shrubs, turf, flowers, fruit, vegetables, nuts or seeds in or from any **public park** or **school ground**, unless the person is authorized to do so under the following **City** or **School District** programs:

- (a) Community Gardening; or
- (b) any other program approved by the **City** or **School District**.

2.4.2 A person must not plant or deposit any plant life or vegetation that is deemed to be:

- (a) a noxious weed under the *Weed Control Act*, as amended or replaced from time to time; or
- (b) an invasive plant under a **City** plan, program or policy, which may include but is not limited to guidelines developed by the Ministry of Forests, Lands and Natural Resource Operations or the Invasive Species Council of British Columbia;

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

2.4.3 Subject to Section 2.4.2, a person must not plant or deposit any plant life or vegetation in any **public park** or **school ground** without first receiving written authorization under the provisions of Part Six, unless the person is authorized to do so under the following **City** or **School District** programs:

- (a) Community Gardening; or
- (b) any other program approved by the **City** or **School District**.

2.5 Animals – Prohibitions

2.5.1 A person must not:

- (a) harass, disturb, frighten or injure;
- (b) feed; or
- (c) hook, trap or snare;

any **animal** in any **public park** or **school ground**, unless that person holds a valid licence to engage in such activity.

2.5.2 A person who owns an **animal** or has the care, custody or control of an **animal**, must ensure that such **animal** does not:

- (a) run at large or be off-leash except as permitted under the *Animal Control Regulation Bylaw 7932*, as amended or replaced from time to time, and in an area specifically designated for such activity;
- (b) kill or injure a person or **animal**;
- (c) harass, disturb or frighten a person or **animal**;
- (d) enter or remain in any manmade body of water or waterworks, including but not limited to a fountain, reservoir, pond, swimming or wading pool, water park or well; or
- (e) dig or damage property;

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

2.5.3 With the exception of an assistance dog required by a person with a disability, a person must not bring or permit any **animal** under his or her care, control or custody, within the boundaries of:

- (a) Terra Nova Rural Park;
- (b) Richmond Nature Park;
- (c) North East Bog Forest;

- (d) an **environmentally sensitive area**; or
- (e) a sports court, artificial turf field or running track.

2.5.4 A person must not leave, place, deposit or dispose of any **animal** or **animal** remains in any **public park** or **school ground**.

2.6 Athletic and Recreational Activities – Prohibitions

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

2.7 Waste and Combustible Materials – Prohibitions

2.7.1 A person must not throw, place, deposit or dispose of:

- (a) any garbage, recyclable materials or food waste; or
- (b) any lighted match, cigar, cigarette or other burning substance;

in any **public park** or **school ground**, except in a receptacle provided for the disposal of such materials.

2.7.2 A person must not throw, place, deposit or dispose of:

- (a) any household waste;
- (b) any commercial, construction, chemical or combustible waste or other material that may be hazardous to a person receiving or handling it; or
- (c) any yard and garden trimmings or other compost material unless the person is authorized to do so in a designated area under the following **City** or **School District** programs:
 - (i) Community Garden;
 - (ii) Partners for Beautification; or
 - (iii) any other program approved by the **City** or **School District**;

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

2.7.3 A person must not light or operate any barbeque or fire in any **public park** or **school ground**:

- (a) when a fire ban is in effect;
- (b) in a bog or wetland area; or
- (c) in an **environmentally sensitive area**.

2.7.4 In addition to Section 2.7.3, a person must not light or operate:

- (a) an open flame or wood stove, camp stove or barbeque pursuant to the *Fire Protection and Life Safety Bylaw No. 8306*, as amended or replaced from time to time;
- (b) a charcoal stove, camp stove or barbeque; or
- (c) a natural gas or propane fuelled camp stove or barbeque:
 - (i) in an area not designated for such activity;
 - (ii) in an enclosed space or facility;
 - (iii) on an artificial or synthetic playing surface; or
 - (iv) on a dock or pier;

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

2.8 Miscellaneous – Prohibitions

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

2.8.2 A person must not leave, place, deposit or dispose of any cremated remains in any **public park or school ground**, except in an area designated and posted for such purpose.

PART THREE: PROHIBITED ACTIVITIES – EXCEPT IN DESIGNATED AREAS

3.1 Athletic and Recreational Activities – Designated Areas

3.1.1 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 radio-controlled, fixed-line-controlled or power-launched model aircraft or glider; or
- (c) engage in an activity involving a power or traction kite, whereby the kite provides significant pull or propels the individual on land or air, regardless of whether in conjunction with a vehicle, board, skates or other device, including but not limited to kite buggying, kite landboarding, kite skating, snowkiting or kite jumping.

3.2 Safety – Designated Areas

- 3.2.1 A person must not carry or discharge a **firearm** in any **public park** or **school ground**, except in an area specifically designated for such activity.
- 3.2.2 A person must not throw any hammer, shot-put, discus, or javelin in any **public park** or **school ground**, except:
 - (a) in an area within Minoru Park specifically designated for such activity while under proper supervision; or
 - (b) in the case of property under the jurisdiction of the **School District**, under the direct supervision of an employee designated by the **Superintendent of Schools**.

PART FOUR: PROHIBITED ACTIVITIES – EXCEPT WITH WRITTEN AUTHORIZATION

4.1 Infrastructure and Surrounding Areas – Prohibited Activities Requiring Authorization

- 4.1.1 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 Six:
 - (a) cut, break, injure, damage, deface, destroy, remove, alter, misuse, abuse or interfere with any pavilion, building, structure, wall, fence, railing, sign, seat, bench, equipment, landscaping, post, pole, memorial, sculpture, ornament or object of any kind;
 - (b) install, erect, construct or build a tent, shelter, pavilion, building, structure, wall, fence, railing, sign, seat, bench, post, pole, sculpture, ornament or object of any kind; or
 - (c) deposit or remove topsoil, wood, rock or other material.
- 4.1.2 In the event that an obstruction, article or object is placed in any **public park** or **school ground** contrary to Section 4.1.1, the **General Manager of Community Services** or the **General Manager of Engineering & Public Works**, in the case of property under the jurisdiction of the **City**, or the **Superintendent of Schools**, in the case of property under the jurisdiction of the **School District**, is authorized:
 - (a) to remove or cause to be removed any such obstruction, article or thing at the violator's expense; and
 - (b) to do every lawful act required to have any such removal be completed in the shortest possible time.

4.2 Commercial Activity – Prohibited Activities Requiring Authorization

4.2.1 A person or organization must not undertake any of the following activities in any **public park** or **school ground** unless that person or organization is in compliance with *Business Regulation Bylaw No. 7538*, as amended or replaced from time to time, and has received prior written authorization under the provisions of Part Six:

- (a) sell or expose for sale any refreshment, goods, article or thing;
- (b) offer any service or private instruction for a fee or other form of compensation;
- (c) solicit funds or any type of goods or services;
- (d) post, paint or affix any advertising, promotional material of a commercial nature, including but not limited to bills, flyers, posters, pictures, banners, flags, pamphlets, cards, signs, products or merchandise on a pavilion, building, structure, wall, fence, railing, sign, seat, bench, tree, shrub, landscaping, post, pole, sculpture, ornament or object of any kind;
- (e) distribute or deliver any advertising or promotional material of a commercial nature, including but not limited to bills, flyers, posters, pictures, flags, pamphlets, cards, signs, products or merchandise;
- (f) install, erect, construct or build a display for advertising or promotional purposes; or
- (g) drive, operate, **stop, park** or leave a **vehicle**, golf cart/buggy, moped, scooter, bicycle, skateboard, skates, rollerblades, ridden or herded **animal** or other mode of transportation for the specific purpose of displaying or broadcasting advertisements or promotional messages of a commercial nature, by way of the **vehicle** or transportation mode's interior, exterior or equipment.

4.2.2 If a person or organization is authorized under Part Six to undertake any of the activities listed in Section 4.2.1, that person or organization shall be responsible for:

- (a) cleaning and removing any waste or debris resulting from such activity; and
- (b) restoring the area or site to its former state.

4.2.3 In the event that a person or organization posts, distributes, places or leaves any obstruction, article or thing in any **public park** or **school ground** contrary to Sections 4.2.1 or 4.2.2, the **General Manager of Community Services** or the **General Manager of Engineering & Public Works**, in the case of property under the jurisdiction of the **City**, or the **Superintendent of Schools**, in the case of property under the jurisdiction of the **School District**, is authorized:

- (a) to clean, remove or cause to be cleaned or removed any such obstruction, article or thing at the violator's expense; and
- (b) to do every lawful act required to have any such removal or clean-up be completed in the shortest possible time.

4.3 Athletic and Recreational Activities – Prohibited Activities Requiring Authorization

4.3.1 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 Six:

- (a) use a bow and arrow or practice archery;
- (b) use a boomerang; or
- (c) operate a go-kart, motocross bike, snowmobile, all-terrain vehicle (ATV) or tractor.

4.4 Events – Prohibited Activities Requiring Authorization

4.4.1 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 Six:

- (a) fire or explode any combustible or other explosive material, including but not limited to **fireworks**;
- (b) operate an amplifying system or loud speaker;
- (c) hold a tournament, series of games or competition; or
- (d) hold or participate in a procession, parade, march, drill, demonstration, rally, performance, play, ceremony, concert, meeting or other gathering, excluding family or social gatherings not exceeding 50 persons.

4.5 Hours of Public Park and School Ground Closures

4.5.1 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., or as otherwise posted, except:

- (a) to attend a community facility during operating hours;

- (b) to access a vessel moored at the public dock in Imperial Landing Park; or
- (c) as specified in a written authorization under the provisions of Part Six.

4.5.2 A person must not enter, be in or use:

- (a) a facility or any area around or adjacent to such facility that is enclosed by a fence or other structure; or
- (b) a swimming or wading pool or any area around or adjacent to such pool that is enclosed by a fence or other structure;

in a **public park** or **school ground**, when such facility, pool, area, **public park** or **school ground** is closed.

PART FIVE: SPECIAL AUTHORITY

5.1 Special Authority to Close Public Parks and School Grounds

5.1.1 Notwithstanding the provisions of Part Four, either:

- (a) the **General Manager of Community Services** or the **General Manager of Engineering & Public Works**, 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** or part thereof if, in his or her opinion, the circumstances warrant such closure, including but not limited to fire hazard, prevention or assisting the prevention of a breach of the peace or threat thereto, violation of the criminal law or protection of members of the public from injury or damage.

PART SIX: WRITTEN AUTHORIZATIONS

6.1 Procedure for Written Authorization

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

- (a) the **General Manager of Community 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 Community Services**, together with the **Superintendent of Schools**, in the case of property under the joint jurisdiction of the **City** and the **School District**;

and complies with all applicable requirements under other municipal, regional and federal laws, bylaws, legislation, regulations and policies.

- 6.1.2 A written authorization given in accordance with subsection 6.1.1 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 SEVEN: VIOLATIONS AND PENALTIES

- 7.1 (a) A violation of any of the provisions identified in this bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended or replaced from time to time; and
- (b) A violation of any of the provisions identified in this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60*, as they may be amended or replaced from time to time.
- 7.2 Every person who contravenes any provision of this bylaw is considered to have committed an offence against this bylaw and is liable on summary conviction, to a fine of not more than Ten Thousand Dollars (\$10,000), and each day that such violation is caused, or allowed to continue, constitutes a separate offence.

PART EIGHT: INTERPRETATION

- 8.1 In this bylaw, the following words have the following meaning:

ANIMAL means a bird, mammal, amphibian, reptile or fish.

BYLAW ENFORCEMENT OFFICER means any of the following persons:

- (a) a **police officer**;
- (b) bylaw enforcement officer appointed by the **City**;
- (c) **Fire Chief** or local assistant to the Fire Commissioner under Section 6 of the *Fire Services Act*, as amended or replaced from time to time; or
- (d) licensing inspector, building inspector, animal control officer, public health officer, or other person authorized by the **City** to enforce one or more of its

CITY	means the City of Richmond.
COUNCIL	means the Council of the City .
ENVIRONMENTALLY SENSITIVE AREA	means any part of a public park or school ground that has any of the following characteristics: (a) areas or landscape features identified in a plan, map or City bylaw as environmentally significant, an environmental protection area, a development permit area for protection of the environment or for another similar purpose that is compatible with the conservation of ecological features and functions of the site; or (b) an area of a park that is designated or managed for the conservation of ecological features and functions of the site.
FIRE CHIEF	means the Director of Fire and Rescue Services for the City , acting as head of the Fire Department, and includes a person designated to act in the place of the Director;
FIREARM	means a rifle, pistol, or shotgun that uses compressed air, explosives, gas or springs as a propellant, 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 or animal control.
FIREWORKS	means any article containing a combustible or explosive composition or any substance or combination of substances prepared for, capable of, or discharged for the purposes of producing a pyrotechnical display which may or may not be preceded by, accompanied with, or followed by an explosion, or an explosion without any pyrotechnical display, and includes, without limitation, barrages, batteries, bottle rockets, cannon crackers, fireballs, firecrackers, mines, pinwheels, roman candles, skyrockets, squibs, torpedoes, and other items of a similar nature, that are intended for use in pyrotechnical displays or as explosives or that are labelled, advertised, offered, portrayed, presented or otherwise identified for any such purpose.
GENERAL MANAGER OF COMMUNITY SERVICES	means the person(s) appointed by Council to the position of General Manager of Community Services, and includes a person designated as an alternate.

**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.

PARK/PARKED/PARKING

means the standing of a vehicle, whether occupied or not, other than up to five 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:

- (a) a **bylaw enforcement officer** or a person contracted by the **City** for traffic management purposes; or
- (b) a **traffic control device**.

POLICE OFFICER

means:

- (a) a member of the Royal Canadian Mounted Police; or
- (b) any person defined as a peace officer by the *Criminal Code*, as amended or replaced from time to time.

PUBLIC PARK

means any public parks, boulevards, greenways, playgrounds, paths, trails, beaches, golf courses and playing fields, as well as any buildings or structures designated or intended for public recreational use including swimming pools, arenas, recreation centres, sports courts, docks, piers, heritage sites or other facilities, that are under the custody, care, management and/or jurisdiction of the **City**, and which are made available by the **City** for public access.

SCHOOL DISTRICT

means School District No. 38 (Richmond).

SCHOOL GROUND

means and includes parks, playgrounds, paths, trails, sport courts, playing fields, buildings and other places under the custody, care, management and/or jurisdiction of the **School District**.

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 **bylaw enforcement officer** or **traffic-control device**.

SUPERINTENDENT OF SCHOOLS

means the person appointed by the **School District** 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

has the meaning set out in the *Motor Vehicle Act*, as amended or replaced from time to time, and includes motor vehicle and motorcycle, as defined in the *Motor Vehicle Act*.

PART NINE: PREVIOUS BYLAW REPEAL

- 9.1** Public Parks and School Grounds Regulation Bylaw No. 7310, as amended, is hereby repealed.

PART TEN: SEVERABILITY AND CITATION

- 10.1** 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.

10.2 This bylaw is cited as "Public Parks and School Grounds Regulation Bylaw No. 8771" and is effective August 1, 2015.

FIRST READING

APR 13 2015

SECOND READING

APR 13 2015

THIRD READING

~~APR 13 2015~~ APR 27 2015

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
<i>WR</i>
APPROVED for legality by Solicitor
<i>D</i>

MAYOR

CITY CLERK