

TOWN OF WARMAN

BYLAW NO. 2005-12

PARKS BYLAW

Purpose

1. The purpose of this Bylaw is to regulate the use of Parks owned and operated by The Town of Warman.

Definitions

2. For the purposes of this Bylaw:
 - (a) "Council" means the Council of the Town of Warman.
 - (b) "Park" means Municipal Reserve or other lands maintained for Recreational purposes, owned by the Town and designated as a park.
 - (c) "Casual Use" means the occasional or irregular use of a park.
 - (d) "Special Event" means an activity or festival of a sporting, cultural, artistic or recreational nature which requires the use of all or a portion of a park for a pre-determined length of time.
 - (e) "Town" means The Town of Warman.

Use of Parks

3. (1) A person or group shall apply to the Town for permission for Casual Use between the hours of 11:00 o'clock p.m. and 6:00 o'clock a.m. or Special Event use of a Park.
- (2) Special Events are to be applied for in writing to Council stating the type of event, date & times, location within the Park and the Park being requested for use. The person or organization holding the event is responsible for any licenses required, damages done to the Parks and/or any structures therein.
- (3) The Council may approve a proposed Special Event if it meets Park use criteria:
 - (a) the use is compatible with the physical capabilities of the Park;
 - (b) the use does not cause permanent damage to the Parks or extra expense for the Town;
 - (c) the use is compatible and will not conflict with other activities previously approved in the Park;
 - (d) the use does not jeopardize public safety;
- (4) The granting of permission for a Special Event to use a Park does not relieve the user from the requirement to comply with all applicable municipal, provincial and federal laws, including The Noise Bylaw, No. 87-14.

Hours of Parks

4. (1) No person or group shall remain in a Park between the hours of 11:00 o'clock p.m. and 6:00 o'clock a.m.
- (2) Subsection (1) does not apply to the following:
 - (a) persons who have obtained a permit from the Town to use a Park after 11:00 o'clock p.m. or before 6:00 o'clock a.m.;
 - (b) Town employees or police officers (including without limiting the

generality of the foregoing, members of the Royal Canadian Mounted Police), who enter a Park in the course of their duties; and

(c) A Special Events function, Town employees on active duty or registered guests of the R.V. Park, providing the former are not in contravention of any other sections of this bylaw or any other municipal, provincial or federal law.

Deposit

5. The Town may require a refundable damage deposit and/or a non-refundable usage fee from an applicant prior to the granting of permission for the use of a Park. The amount of the damage deposit or usage fee shall be at the discretion of the Town.

Litter

6. (1) No person shall leave litter or deposit any substance in any Park.
(2) If any person leaves litter or deposits any substance in any Park, the Town may notify the person, verbally or in writing to remove the litter or substance at the expense of the person so notified.
(3) Any person notified under subsection (2) who does not remove litter or substance or any person who has previously received written or verbal notice may be subject to fines.

Prohibited Actions and Activities

7. No person shall engage in any gaming or commit any indecent or obscene act in any Park.
8. No person shall conduct themselves in a disorderly manner in a Park.
9. No person shall make any loud, unnecessary or unusual noise in a Park except as permitted in The Noise Bylaw, No. 87-14.
10. No person shall discharge any firearm or any other weapon in any Park unless written permission to do so has been received from the Town; except a law enforcement officer in line of duty.
11. No person shall discharge any fireworks in any Park unless written permission to do so has been received from the Town.
12. No person shall damage or destroy any vegetation or any structure in a Park.
13. No person shall deface or destroy a sign or notice posted by the Town in a Park.

Offences and Penalties

14. (1) Any person who contravenes any Section of this Bylaw is guilty of an offence and is liable on summary conviction:
 - (a) in the case of an individual to a fine of not more than \$2,000.00;
and
 - (b) in the case of a business or corporation to a fine of not more than \$5,000.00.
- (2) In addition to the penalties set out in Subsection (1), if any person contravenes any section of this Bylaw and causes damage to a Park, the Town may do the necessary repairs or work at the expense of the person in contravention of the Bylaw.

Coming into Force

15. This Bylaw shall come into force on the day of its final passing.