

THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 2089

A Bylaw to Regulate the Use of Parks, Beaches and Boulevards

This is a consolidated bylaw prepared by the Corporation of the District of Peachland for convenience only. The Corporation does not warrant that the information contained in this consolidation is current. It is the responsibility of the person using this consolidation to ensure that it accurately reflects current bylaw provisions.

Amended by: Bylaw No. 2234, 2018 adopted June 12, 2018.
Bylaw No. 2156, 2016 adopted January 10, 2017.
Bylaw No. 2139, 2016 adopted June 28th, 2016.

WHEREAS the Municipal Council of the Corporation of the District of Peachland, in Open Meeting assembled, ENACTS AS FOLLOWS

1. This Bylaw may be cited for all purposes as "Park Regulation Bylaw No. 2089, 2014
2. The Corporation of the District of Peachland Parks Regulation Bylaw No. 993, 1987, including all subsequent amendments, is hereby repealed.
3. In this Bylaw, unless the context otherwise requires:

"Park" includes all dedicated Public Parks, Municipal Hall grounds, or other lands used for Public Parks, or any public beach or boulevard within the corporate limits of the Corporation of the District of Peachland.

4. No person shall enter or be upon or within any park between the hours of 11:00 p.m. and 5:00 a.m., with the exception of the Peachland Skate Park that is open from 7:00 a.m. to dusk; provided, however, that nothing in this section shall prevent any officers or employees of the Corporation of the District of Peachland from entering or being upon or within any park in the exercise of their duties.
5. No person shall set up or occupy any camper, trailer or other form of temporary shelter, on or within any park.
6. No person shall use any bow and arrow, sling-shot, boomerang, projectiles or other weapon within a park, school ground or other public ground under the jurisdiction of the Corporation of the District of Peachland.
7. No person shall take away any gravel, sand, or earth from any part of any park.
8. No person shall throw, dump, deposit or leave any glass, bottles, cans, litter, or other materials whether likely to injure any person, animal, vehicle or not, in any park, or water adjacent to such parks. **See Schedule "A" for Exemptions".**
9. No person shall light up any fire on any public beach or park within the corporate limits of the Municipality of Peachland, except in a fireplace or area provided for that purpose.

10. No person shall operate paddleboards, kayaks, scooters, power boats, sailboats, rowboats, canoes, or any other water vehicles, boat or vessel, inside the areas designated by buoys as being restricted to swimming only.
11. No person shall be on the roof of any building in any park unless that person is an employee or agent of the Corporation of the District of Peachland carrying out his regular duties.
12. No person shall be in any building, swimming pool, tennis court, or other enclosure or structure in any park except during the hours the said building, swimming pools, tennis court or other structure is authorized to be used or to be open by the Municipal Council. This section does not apply to any employee or agent of the Corporation of the District of Peachland carrying out his regular duties.
13. No person shall break, injure or damage the locks, gates, bolts, fences, seats, benches, buildings, structures, or other property placed in the public squares, on boulevards, or in parks or grounds.
14. No person shall willfully destroy, mutilate, efface, deface, or remove any sign posted within a park under this or any other Bylaw.
15. No person shall climb, debark, nail, staple, break, peel, cut, deface, remove, injure, root up or otherwise destroy or damage the trees, shrubs, flowers, roots, or grass planted and/or growing on boulevards, or in parks or grounds.
16. No person shall play or practice the game of golf or similar games played with golf clubs and balls in any park, except in areas of a public park that have been designated for the playing and practicing of golf or similar games by the Municipal Council or any Committees thereof.
17. **a. No person shall cause, allow or permit horses, or other animals to be on any park, beach, cemetery or sports field within the corporate limits of the District except horses at Mountain View Park and dogs in accordance to this section;**
 - b. Dogs are permitted *on leash* in municipal parks *except* in the following prohibited Parks and Areas:**
 - i. Parks with playgrounds – including but not limited to Heritage Park, Knoblauch Park, Morrison Park and Chevallier Park;**
 - ii. Sports fields – including but not limited to Cousins Park;**
 - iii. Cemetery**
 - iv. Designated swim areas as defined in the Official Community Plan and as delineated by in the water by Swim Buoys and the sidewalk. Where no sidewalk exist, the beach area begins 1 metre from the paved road.**
 - c. Dogs are permitted *off leash*, in accordance with the Regional District Central Okanagan Responsible Dog Ownership Bylaw, in the following designated Off Leash Parks and Areas:**
 - i. Sanderson Park**
 - ii. WA Lang/Pincushion Place Park**
 - iii. MacKinnon Park**
 - iv. Doggie Beach**

d. In accordance with the Regional District Central Okanagan Responsible Dog Ownership Bylaw, owners are required to immediately remove excrement and dispose of it in a sanitary manner.”

18. No person shall ride, drive, or lead any animal, or any carriage, boat, wagon, bicycle, motorcycle, scooter, automobile, sleigh, snowmobile, or other vehicle or conveyance in or upon any of the public squares, parks or boulevards within the boundaries of the Corporation of the District of Peachland, except in areas specifically provided for such purpose. This section does not apply to any employee or agent of the Municipality carrying out his regular duties.
19. Notwithstanding the provisions in section 17(a) of this Bylaw, a dog owner or horse owner or animal owner may be permitted to bring a dog/horse/animal to a special event, in the Park that is not designated either a “Dog On-Leash Park”, “Dog Off-Leash Park” or “Equestrian Park”, only if approved under the conditions of the Special Event Bylaw as it is amended from time to time.
20. Shade trees may be placed or planted in any street, park or boulevard within the Municipality, but nothing herein contained shall be taken to authorize the planting of any trees harbouring pests injurious to fruit production, and the planning thereof in any such street, park or boulevard is hereby prohibited.
21. No person shall break, injure, dig, or destroy any trees lawfully planted, or the sod grass of any boulevard, or any box, stake or guard which is placed around any tree for the protection of the same.
22. No person shall park boat trailers, boats or any other equipment overnight on or within any park, beach or boulevard within the corporate limits of the Municipality of Peachland.
23. No person shall, at any time, park boat trailers, boats or any other equipment at any boat launching ramps.
24. Community Associations or members of the public may approach the Council of the Corporation of the District of Peachland for relaxation of the rules and regulations as listed in the Bylaw for a special event. This relaxation is for the specific event only and, should such event re-occur, permission by Council must be requested again.
25. No person shall sell or display for sale any refreshments, article, merchandise, product, thing, service or conduct any business in a Park without a permit issued by the District or written permission from the District.
26. No person shall conduct any event, procession, march, drill, performance, ceremony, concert, gathering, league practice/game or meeting without a permit issued by the District or written permission from the District.
27. No person shall smoke in Children’s play areas, sports fields, undeveloped parks and wilderness trails except in designated areas
28. Geocaching is permitted in accordance to Geocaching International Rules
29. Any person contravening or committing any breach of the provisions of this Bylaw is liable, upon summary conviction, to a fine of not less than Fifty Dollars (\$50.00), and not more then Five Hundred Dollars (\$500.00), or to a term of imprisonment not exceeding one (1) month.
30. This Bylaw shall take effect upon its adoption by the Council of the Corporation of the District of Peachland.

READ A FIRST TIME, this 27th day of May, 2014

READ A SECOND TIME, this 27th day of May, 2014

READ A THIRD TIME, this 9th day of September, 2014

FINALLY RECONSIDERED AND ADOPTED, this 30th day of September, 2014

MAYOR

CORPORATE OFFICER

Dated at Peachland, B.C.
This 30th day of September, 2014

SCHEDULE "A"

EXEMPTIONS

1. EXEMPTION TO SECTION 8

The memorial bench located at approximately Latitude 49.779478 degrees and Longitude 119.732380 degrees - across the street from the address of 5648 Beach Ave donated in the memory of Ashlee Hyatt, may be permitted to have silk flowers attached to the corners of the bench provided that such installation does not create a risk of injury.