

# Consolidated Parks By-Law 072-22

Revision Date  
June 26, 2024

Amending By-Law	Date	Brief Description	Notes
086-22	July 18, 2022	Amended section 12 – Added coming into force date	
039-23	May 10, 2023	Amended definitions, section 2(ad) and add section for dog off leash recreational areas	Dog in park pilot project (sunsets Dec 31 <sup>st</sup> , 2023)
059-24	June 26, 2024	Continuation of 039-23	Dog in park pilot project (sunsets Dec 31 <sup>st</sup> , 2024)

**[Editor's Note:** Revoked provisions are indicated by a ~~strike through~~. Added provisions are indicated by underlining.]

This Office Consolidation is provided for convenience and ease of reference only. It comprises the By-Law and all amendments and modifications up to the last date noted above. The official version of the By-Law and all amending bylaws thereto are contained in the Clerk's Department. Any reliance upon the Office Consolidation is done at the sole risk of the user. The Town does not verify the accuracy or completeness of the Office Consolidation and bears no responsibility or liability to any person or entity for any deficiencies, inaccuracies, errors, or omissions contained in the Office Consolidation. This Office Consolidation only reflects amendments that have come into force and effect as of the date of this Consolidation.

**-OFFICE CONSOLIDATION-**

**Page 2 of 7**

**By-Law 072-22**

**“Parks By-Law”**

**THE CORPORATION OF THE TOWN OF INNISFIL**

**BY-LAW 072-22**

**A By-law of The Corporation of the Town of Innisfil to Regulate the Public Parks in the Town of Innisfil and to repeal By-law No. 039-16 and all amendments.**

**WHEREAS** Section 8 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** Section 9 of the *Municipal Act*, 2001, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

**AND WHEREAS** Council deems it necessary for the health, safety and welfare of its residents to assign Park Operational Hours;

**NOW THEREFORE** the Council of The Town of Innisfil hereby enacts as follows:

1. **TITLE:** This By-law shall be known as the "Parks By-law".

2. **DEFINITIONS:**

**“Beach Area”** - means an area of a public park whereby the landscaping or ground cover is made up of sand or other similar material in a defined area including but not limited to such areas that may be designed for the purpose of swimming.

**“Dog Off Leash Recreational Areas”** - means an area designated by the Town for the purpose of allowing dogs to be exercised by means of playing, running or other activity while not restrained by a leash or other means of control. Such areas shall be fenced and clearly delineated for such purpose.

[Amended by By-Law 059-24]

**“Motorized Vehicle”** shall have the same meaning as “motor vehicle” under the *Highway Traffic Act*, R.S.O. 1990.

**“Parks”** shall include all lands, water, buildings, and facilities acquired by purchase, lease, expropriation, agreement or otherwise and under the jurisdiction of the Town of Innisfil.

**“Running At Large”** - means an animal found in any place other than the premises of the owner or person having care, custody or control of the animal and not secured by a leash.

[Amended by By-Law 059-24]

**-OFFICE CONSOLIDATION-**

**Page 3 of 7**

**By-Law 072-22**

**“Parks By-Law”**

3. The **“Park Operational Hours”** shall be defined as those hours between 6:00 am and 10:00 pm, seven days a week, or as defined in a Town issued Special Event permit.
4. It shall be deemed to be an offence for any person or persons to do any of the acts hereinafter specified within the limits of Town parklands and properties:
  - (a) to cut or remove, damage, destroy, injure, deface, tear up, burn, dig or mark any portion of parkland or any properties erected, installed or contained on parklands;
  - (b) to dump, deposit or leave any refuse, garbage, waste, paper, soil, sod, plants or any other type of domestic or industrial waste on or in parklands or properties contained therein except in receptacles that maybe provided for such purpose;
  - (c) to pollute or contribute to the pollution of water in any rivers, lakes, streams, water courses, reservoirs, storm water management ponds (SWM) ponds, swimming or wading pools, splash pads, fountains, or Low Impact Development ground water recharge systems (LID), or other LID features related to storm water management or other receptacles for water by allowing pets to enter or by throwing or depositing any solid or liquid matter into said waters;
  - (d) to kill, maim or in any way molest or disturb any mammal, bird or water fowl, amphibian, reptiles, or fish, that is enclosed or whose habitat is in Town parkland except for seasonal deterrent techniques as provided by the Canadian Wildlife Service to discourage Canada Geese or other wildlife from park property;
  - (e) to conduct or participate in sports or other active endeavors in areas that are designed specifically as horticultural and landscaped sites, passive and sitting areas and facilities for young children;
  - (f) to enter a "posted area" that is designated "no admittance" or "no trespassing";
  - (g) to contravene any posted rules and regulations relating to the operation of any parklands, arenas, swimming pools, recreation centers or other Town properties;
  - (h) to indulge in riotous, boisterous, threatening, or indecent conduct or abusive, threatening or profane language within a public park.
  - (i) to use any part of Town parkland or properties for the purpose of:
    - (i) washing, cleaning, polishing, servicing, maintaining or with the exception of any emergency, repairing any motorized vehicle;
    - (ii) instructing, teaching or coaching any person in the driving or operation of motorized vehicle;
  - (j) to conduct or participate in organized sports or activities in areas other than those designated as a "posted area" or physically laid out and/or improved for such use;

**-OFFICE CONSOLIDATION-**

**Page 4 of 7**

**By-Law 072-22**

**“Parks By-Law”**

- (k) to breach while on or in Town parkland or properties any existing Municipal By-law or Federal or Provincial statute.
- (l) to carry or use a hockey stick or similar equipment on a natural or artificial ice rink designated for pleasure skating only;
- (m) to play golf or drive a golf ball except on golf courses;
- (n) to use barbecues, camp stoves, cookers, smokers in parklands with the exception of areas designated for that purpose.
- (o) to turn on or tamper with any lighting control boxes for facilities or any equipment relative to parkland properties;
- (p) to distribute any hand bills or circulars; to post, place or erect any bills, notices, advertising device or matter of any kind on parklands or properties;
- (q) to operate, maintain, carry on, conduct or solicit for any trade, occupation, business, profession and or services within a public park unless authorized to do so by the Town.
- (r) to build or use a camp fire unless permitted by the Town;
- (s) to camp or lodge in any such park or hold any group picnic except at places designated for such purposes;
  - (i) to setup any enclosed tent structure except screened tents in which visibility of the interior is not obstructed when viewed from the exterior
  - (ii) to setup a tent structure larger than 10x10 feet
  - (iii) to setup a portable toilet or containment vessel for human refuse
- (t) to carry or discharge any firearms, firecrackers, rockets, arrows, airguns, catapults or the discharge of fireworks without a permit;
- (u) to drive or operate any vehicle on public parkland roadways and parking areas in excess of (15) mph / (25) km per hour or so as to interfere with or endanger any person or persons in said parklands;
- (v)
  - (i) to drive or operate licensed motorized vehicles, including automobiles, motorcycles, snowmobiles, dirt bikes, side by sides, ATVs or any other motorized recreational vehicle upon any parklands with the exception of areas that are posted and designated for such purposes;
  - (ii) to drive or operate motorized vehicles, including hoverboards and motor-assisted bicycles, within a skatepark or BMX pump track area;
- (w) to park or leave standing;
  - (i) any vehicle on any parkland and properties other than areas posted or designated for parking;

**-OFFICE CONSOLIDATION-**

**Page 5 of 7**

**By-Law 072-22**

**“Parks By-Law”**

- (ii) any vehicle in front of a public building, emergency exits, designated handicap parking, walkway entrances or in any way that will obstruct the normal flow of traffic on a public park roadway or parking lot;
  - (iii) any vehicles, including trucks, trailers and buses, on any of the Town's properties for any purpose other than what the parking area has been designated for while using the facility. No overnight parking will be permitted on any Town property;
  - (iv) any vehicles that are not displaying the required permit;
  - (v) any vehicle idling for any period of time with or without the operator in the vehicle.
- (x) to possess liquor as defined in the liquor License Act unless a license or permit is issued;
- (y) to permit or ride any horse in any area not posted for horses.
- (z) to permit or use drones, or any remote radio-controlled gas powered cars, planes, and boats.
- (aa) to operate a bicycle, skateboard, in-line skates, roller skates or scooter except on designated bike path or within a skatepark or BMX pump track area.
- (ab) to operate or use any apparatus, mechanism or device for the amplification of the human voice, music or sound within a public park unless authorized to do so by the Town.
- (ac) to be in any Town owned parkland outside the Park Operational Hours.
- ~~(ad) to do any of the acts hereinafter specified within the limits of Town parklands and properties:~~
- ~~(i) to allow dogs running at large on any parkland or public property at any time.~~
  - ~~(ii) to allow a dog within 15 meter of the water edge at any park land at any time.~~
  - ~~(iii) to allow at any time dogs during a Town sanctioned festival or gathering.~~
  - ~~(iv) to allow a dog in a park on weekends and statutory holidays during park operation hours between the hours of 9:00 a.m. and 8:00 p.m. from the Friday proceeding Victoria Day to the Tuesday following Thanksgiving Day.~~
  - ~~(v) during permitted hours to walk a dogs on a leash, that exceeds 2 metres (6 feet) within 15 metres (50 feet) of the water's edge with the exception of guide dogs, police dogs, appropriately sanctioned service dogs and dogs boarding boats at the boat ramp.~~
  - ~~(vi) to allow a dog in designated beach areas within Innisfil Beach Park or 10<sup>th</sup> Line Park, or any other Town designated beach areas, with the exception of signed areas of Innisfil Beach Park — Beach 1 on Wednesdays between June 1<sup>st</sup> and August 31<sup>st</sup>.~~

**-OFFICE CONSOLIDATION-**

**Page 6 of 7**

**By-Law 072-22**

**“Parks By-Law”**

(ad) No person shall allow an animal to enter, remain or occupy a beach area within a public park.

(i) Notwithstanding section 4(ad), dogs shall be permitted in beach areas within Dog Off Leash Recreational Areas.

[Amended by By-Law 059-24]

(ae) No person shall ride on or operate a bicycle, skateboard, scooter, in-line skates or roller skates on a skatepark or BMX pump track located within a Town of Innisfil park or owned and/or operated by the Corporation of the Town of Innisfil unless the person is wearing a bicycle helmet that complies with the regulations under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 and the chin strap of the helmet is securely fastened under the chin.

(af) No parent or guardian of a person under sixteen years of age shall authorize or knowingly permit that person to ride on or operate a bicycle on a skatepark or BMX pump track located within a Town of Innisfil park or owned and/or operated by the Corporation of the Town of Innisfil unless the person is wearing a bicycle helmet that complies with the regulations under the *Highway Traffic Act*, R.S.O. 1990, C. H.8 and the chin strap of the helmet is securely fastened under the chin.

**5. Dog Off Leash Recreational Areas**

- a) Every person entering, using or remaining in a designated dog off leash area shall do so at their own risk.
- b) No person shall enter, use or remain in a dog off leash recreational area if his dog is aggressive, shows aggression or acts aggressively towards another person or animal.
- c) No person shall enter, use or remain in a dog off leash recreational area if his dog does not hold valid or up to date anti-rabies vaccine.
- d) No person shall enter, use or remain in a dog off leash recreational area if they do not hold or possess a valid pet registration or license from the Town or other jurisdiction.
- e) All other regulations under this by-law and the Town's Animal Control By-Law in dog off leash recreational areas apply.

[Amended by By-Law 059-24]

6. Notwithstanding Section 4, guide dogs, police dogs and Town sanctioned service dogs will not be restricted. Other dogs will be allowed access from the gatehouse to the boat launch only if the family has a boat and plans to board dogs onto the boat. Dogs allowed access to the boat ramp shall not have access exceeding the boat ramp parking lot.

**ENFORCEMENT**

7. Town Community Standards Officers, Police Officers or any other duly appointed individual shall enforce the provisions of this By-law.

8. No person shall obstruct, hinder, or otherwise interfere with a Community Standards Officer or other duly appointed individual in the lawful carrying out of their duties and responsibilities under the provisions of this By-law.

**-OFFICE CONSOLIDATION-**

**Page 7 of 7**

**By-Law 072-22**

**“Parks By-Law”**

9. Notwithstanding the provisions of this by-law, the following presentation of an offence may:

- (i) be issued by a Town of Innisfil Community Standards Officer;
- (ii) indicate the commission of an offence as set out in Sections 4, 5 of this by-law, and
- (iii) show a set fine as set out in Schedule A;

**SEVERABILITY**

10. If any court of competent jurisdiction finds that any of the provisions of the by-law are ultra-vires of the jurisdiction of the Council of the Town of Innisfil to pass or are invalid for any other reason such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the by-law.

**PENALTIES**

11. Everyone who contravenes any section of this by-law, is guilty of an offence and upon conviction liable to a fine of up to \$5,000.00 or, should the maximum fine under the *Provincial Offences Act, R.S.O., 1990, c.P.33*, as may be amended, be raised subsequent to the date of passage of this bylaw, to a fine of up to such amount.

12. That By-Law No. 039-06 and its amendments are hereby repealed.

**FORCE AND EFFECT**

13. This By-Law shall come into force and effect on ~~a date to be named by the Town's CAO.~~  
August 15<sup>th</sup>, 2022.

[Amended by By-Law 086-22]

**Passed this 22<sup>nd</sup> day of June 2022.**

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**Lynn Dollin**

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**Mayor**

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**Lee Parkin**

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**Clerk**