

**ORIGINAL**

**THE CORPORATION OF THE TOWN OF INNISFIL**

**BY-LAW NO. 039-16**

**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. 098-07, By-law No. 063-12, and By-law No.062-14.**

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. The word "Parks" used herein 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.
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;

to By-Law 039-16

- (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;
- (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;

to By-Law 039-16

- (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
  - (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) to drive or operate licensed vehicles such as automobiles, 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;
- (w) to park or leave standing;
  - (i) any vehicle on any parkland and properties other than areas posted or designated for parking;
  - (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 except on designated bike path and or areas
- (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.

to By-Law 039-16

- (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 the 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.
5. 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

6. Town Community Standards Officers, Police Officers or any other duly appointed individual shall enforce the provisions of this By-law.
7. 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.
8. 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

9. 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.

to By-Law 039-16

PENALTIES

10. 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 S61, *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.
11. That By-Law No. 027-01 and 052-03, 098-07, 063-12, 062-14 and all other parkland by-laws, parts of by-laws or amendments passed by the Council of the Town of Innisfil inconsistent with the provisions of this by-law are hereby repealed.

FORCE AND EFFECT

12. That this By-law shall come into force and take effect on the day of passing.

**PASSED THIS 18<sup>th</sup> DAY OF MAY, 2016.**

  
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Gord Wauchope Mayor

  
\_\_\_\_\_  
Lee Parkin Clerk

## to By-Law 039-16

Town Of Innisfil  
Provincial Offences Act

**By-Law 039-16, as amended**, A By-law of The Corporation of the Town of Innisfil to Regulate the Public Parks in the Town of Innisfil.

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating provisions or Defining Offence	COLUMN 3 Set Fine
1	Person damage or destroy or dig or mark any portion of the parkland	4(a)	\$155
2	Person dump, deposit or leave any refuse, on or in parklands	4(b)	\$155
3	Person pollute water in any rivers, lakes, streams, watercourses or other receptacles for water	4(c)	\$155
4	Person kill, maim or disturb any animal, bird, or water fowl whose habitat is in Town parkland	4(d)	\$255
5	Person 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	4(e)	\$155
6	Person enter posted area designated "no admittance" or "no trespassing"	4(f)	\$155
7	Person contravene any posted rules and regulations relating to the operation of any parklands	4(g)	\$155
8	Person indulge in riotous, boisterous, threatening, or indecent conduct or abusive, threatening or profane language within a public park	4(h)	\$155
9	Person Wash, service, maintain or repair any motorized vehicle on any parklands	4(i)(i)	\$155
10	Person Teach or coach any person in the driving or operation of a motorized vehicle on any parklands	4(i)(ii)	\$155
11	Person conduct or participate in organized activities in areas other than those designated as a "posted area"	4(j)	\$155
12	Person carry or use a hockey stick on an ice rink designated for pleasure skating only	4(l)	\$155
13	Person play golf or drive a golf ball except on golf courses	4(m)	\$155
14	Person use barbecue, camp stove, cooker or smoker in parklands with the exception of areas designated for that purpose	4(n)	\$155
15	Person tamper with any equipment relative to parkland properties	4(o)	\$155

## to By-Law 039-16

16	Person distribute or post, place or erect any bills, notices or advertising on parklands	4(p)	\$155
17	Person operate, maintain, carry on, conduct or solicit for any trade, occupation, business, profession and or services within a public park	4(g)	\$155
18	Person build or use a camp fire	4(r)	\$155
19	Person camp or lodge or hold any group picnic except at places designated for such purposes	4(s)	\$155
20	Person setup any enclosed tent structure in which visibility of the interior is obstructed when viewed from the exterior	4(s)(i)	\$155
21	Person setup a tent structure larger than 10x10	4(s)(ii)	\$155
22	Person setup a portable toilet or containment vessel for human refuse	4(s)(iii)	\$155
23	Person carry or discharge any firearms, airguns, firecrackers or fireworks without a permit	4(t)	\$205
24	Person drive or operate any vehicle on public parkland roadways in excess of 15 mph/(25) km per hour	4(u)	\$155
25	Person drive or operate a motorized recreational vehicle upon any parklands not posted for such purpose	4(v)	\$155
26	Person park any vehicle on any parkland other than areas designated for parking	4(w)(i)	\$155
27	Person park or leave standing any vehicle in front of emergency exits or designated handicap parking	4(w)(ii)	\$155
28	Person park or leave standing any vehicle for any purpose other than what has been designated for or for overnight parking	4(w)(iii)	\$155
29	Person park or leave standing any vehicle that is not displaying the required permit	4(w)(iv)	\$155
30	Person park or leave standing any vehicle idling for any period with or without the operator in the vehicle	4(v)	\$155
31	Person possess liquor as defined in the liquor License Act without required permit	4(x)	\$155
32	Person permit or ride any horse in any area not posted for horses	4(y)	\$155
33	Person permit or use drones, or any remote radio controlled gas powered cars, planes or boats	4(z)	\$205
34	Person operate bike except on designated bike paths or areas	4(aa)	\$155
35	Person 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.	4(ab)	\$155

to By-Law 039-16

36	Person found in a park outside the Park Operational Hours	4(ac)	\$155
36	Person allow dog(s) to run at large on any parkland or public property	4(ad)(i)	\$205
37	Person allow a dog within 15 meter of the water edge at any parkland at any time	4(ad)(ii)	\$205
38	Person allow at any time dogs during a Town sanctioned festival or gathering	4(ad)(iii)	\$205
39	Person permit their dog access to the park at times that are not permitted	4(ad)(iv)	\$205
40	Person walk a dogs on a leash, that exceeds 2 meters (6 feet) within 15 meters (50 feet) of the water's edge	4(ad)(v)	\$205
41	Person allow dog in designated beach areas within Innisfil Beach Park or 10th Line Park, or any other Town designated beach areas	4(ad)(vi)	\$205
41	Person Hinder, obstruct, or interfere	7	\$205

Note: The general penalty provision for the offences listed above is section 10 of Bylaw 039-16, a certified copy of which has been filed.