

## **BYLAW NO. 99/028**

### **BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO PROVIDE FOR THE REGULATION OF PARK AND RECREATION AREAS WITHIN THE FORT MCMURRAY URBAN SERVICE AREA - WARD 1**

WHEREAS, by virtue of the power conferred on it by the Municipal Government Act, S.A. 1997, c. M-26.1, as amended, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, duly assembled, enacts as follows:

#### **SECTION 1. - SHORT TITLE**

- 1.1 This Bylaw may be cited as the “Parks and Recreation Bylaw” for Fort Murray urban service area, Ward 1 of the Regional Municipality of Wood Buffalo.

#### **SECTION 2. - DEFINITIONS**

- 2.1 “Bylaw Officer” means any Police Officer, Bylaw Officer or Special Constable for the Regional Municipality of Wood Buffalo.
- 2.2 “Council” means the council for the Regional Municipality of Wood Buffalo.
- 2.3 “Facilities” means any building and/or lands owned or operated by the Regional Municipality of Wood Buffalo.
- 2.4 “Highway Traffic Act” means the Highway Traffic Act being Chapter H-7 of the Revised Statutes of Alberta 1980, as amended or superseded from time-to-time.
- 2.5 “Municipal Bylaw” means any law passed by the Council of the Regional Municipality of Wood Buffalo for any area contained within the boundaries of the Regional Municipality of Wood Buffalo.
- 2.6 “Municipality” means the Regional Municipality of Wood Buffalo, a Municipal Corporation of the Province of Alberta, and where the context so requires means the area contained within the corporate boundaries of the said Municipality.
- 2.7 “Park” means any land within zone of the Regional Municipality of Wood Buffalo which is designated as a park, campground, trail or recreation area by the council of the Regional Municipality of Wood Buffalo as identified in Schedule “A”.
- 2.8 “Person” means any individual, partnership, firm, corporation, joint stock company, society, or association.
- 2.9 “Post” means to erect, place, or mark appropriate control devices for the purpose of regulating, warning or guiding traffic or pedestrian movement and activities.

- 2.10 "Self Propelled Vehicle" means any vehicle propelled by human power on which a person may ride, regardless of the number of wheels it has.
- 2.11 "Sign" means any device posted under the direction of the Superintendent of Parks and Recreation to control traffic and pedestrian movement or activities.
- 2.12 "Superintendent of Parks and Recreation" means the person in charge of the Parks and Recreation Division of the Regional Municipality of Wood Buffalo or their designate.
- 2.13 "Violation Ticket" means a ticket issued pursuant to Part 2 of the Provincial Offenses Procedure Act, S. A. 1988, c. P-21.5, as amended, and regulations thereunder.

### **SECTION 3. - Self Propelled Vehicle**

- 3.1 Any person who is operating a self propelled vehicle on any trail within a park will:
- a) be in control of the movement of the self propelled vehicle,
  - b) yield the right-of-way to all other users,
  - c) ride to the right hand side of the trail within a park; and
  - d) equip the self propelled vehicle with brakes, a bell or horn, and a head lamp and tail lamp.
- 3.2 Any person who is operating a self propelled vehicle on any trail within a park will not,
- a) ride to the side of another self propelled vehicle traveling in the same direction except when overtaking and passing the other self propelled vehicle;
  - b) use the self propelled vehicle to carry more persons at one time than the number for which it was designed and equipped.
- 3.3 A self propelled vehicle operated on a trail will be equipped in the same manner as if the trail were a highway and the Highway Traffic Act applied to the self propelled vehicle.
- 3.4 No person shall:
- a) operate a self propelled vehicle unless he/she is wearing safety helmet securely attached to his/her head.
  - b) ride as a passenger on a self propelled vehicle unless he/she is wearing safety helmet securely attached to his/her head.
  - c) operate a self propelled vehicle on which a passenger is riding unless the passenger is wearing safety helmet securely attached to his/her head.
  - d) buy, sell or offer for sale any safety helmet intended for the use of operators or passengers of self propelled vehicles unless it conforms to the specifications prescribed by the regulation.

#### **SECTION 4. - SIGNS**

- 4.1 No person within a park will disobey any sign.
- 4.2 The Superintendent of Parks and Recreation will designate areas in a park where signs will be posted to ensure compliance of all Municipal Bylaws.

#### **SECTION 5. - MUNICIPAL BYLAWS**

- 5.1 Any person engaging in any activity in a park within Fort McMurray Urban Service Area - Ward 1 will abide by all other municipal Bylaws while within the Park.

#### **SECTION 6. - WATER**

- 6.1 No person within a park shall enter a body of water located in or flowing through a park.
- 6.2 Section 6.1 shall not apply to:
  - a) a person authorized by the Superintendent of Parks and Recreation to enter a body of water;
  - b) bodies of water designated by the Municipality for a specific use by the public; and
  - c) a person authorized by the Superintendent of Parks and Recreation to use a boat or craft of any nature or kind on the water as they deem necessary and upon the terms and conditions specified.
- 6.3 Swimming/bathing/cleansing is permitted only in areas posted by signs to allow such activity.

#### **SECTION 7. - PARK USE**

- 7.1 No person within a park will interfere with the use of a designated area within a park by a person or group to which exclusive use has been granted.
- 7.2 The Superintendent of Parks and Recreation may:
  - a) designate areas of a park as an area which may be licensed to the exclusive use of a person or a group, and the conditions upon which exclusive use may be made of an area;
  - b) exclude an area from use by the public,
  - c) make regulation for the orderly use of facilities within a park,
  - d) make regulations for the orderly use of a park, including the prohibition of activities in a park or a portion of a park which not otherwise prohibited by this Bylaw.
  - e) designate off leash dog areas and areas prohibited by dogs.
- 7.3 Areas designated under Section 7.1 will be posted with signs.

## **SECTION 8. - PUBLIC GATHERINGS**

- 8.1 The Superintendent of Parks and Recreation may authorize any person or group within a park to:
- a) operate an amplifying system;
  - b) make a public address, demonstrate, or do anything likely to cause a public gathering; or
  - c) take part in any procession, drill, performance, ceremony, concert or public gathering.
- 8.2 The Superintendent of Parks and Recreation may make regulations:
- a) stating the criteria to be considered by the Superintendent of Parks and Recreation in approving an application made under this Section; and
  - b) outlining the appeal process from a decision made by the Superintendent of Parks and Recreation under this Section.

## **SECTION 9. - CAMPING**

- 9.1 No person within a park will camp or erect a tent.
- 9.2 The Superintendent of Parks and Recreation may designate an area in a park within Zone where camping is permitted and will post signage to reflect this.

## **SECTION 10. - FIRES**

- 10.1 No person within a park will start or permit to be started any fire unless it is confined to fireplaces or appliances provided in the park for that purpose or in any portable appliance, and then only at such locations within a Park that allow for such.
- 10.2 No person within a park will leave a fire unattended.
- 10.3 The Superintendent of Parks and Recreation may designate an area in a park to allow for fires in a fireplace or portable appliances by posting signage to reflect this.

## **SECTION 11. - SALE OF GOODS AND SERVICES**

- 11.1 No person within a park will make available for sale goods or services:
- a) unless such activity is permitted and licensed by other Municipal Bylaws; and the Superintendent of Parks and Recreation has first given written approval.
- 11.2 The Superintendent of Parks and Recreation may make regulations governing the sale of goods and services in a park.

**SECTION 12. - HOURS OF OPERATION**

12.1 The Superintendent of Parks and Recreation shall designate hours of operation specific to a park area and signage will be posted to reflect the hours of operation within a park.

**SECTION 13.**

13.1 A Bylaw Officer, Parks staff or authorized persons shall not be in violation of the Urban ATV Bylaw by operating off-highway vehicles within the urban service area of the Regional Municipality of Wood Buffalo.

**SECTION 14. - PENALTIES**

14.1 Any person in contravention of any section of this Bylaw is guilty of an offence and is upon summary conviction liable to the penalties imposed pursuant to the General Penalty By-Law.

14.2 Where there has been a breach of this Bylaw, a Byaw Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to part 2 of the Provincial Offenses Procedure Act.

**SECTION 15. - GENERAL**

15.1 Should any provision of this Bylaw be invalid, then such invalid provision may be severed and the remaining Bylaw shall be maintained.

15.2 This Bylaw will be passed and come into effect when it has received third and final reading and has been signed by the Mayor and Regional Clerk.

READ A FIRST TIME THIS 9<sup>TH</sup> DAY OF MARCH, 1999.

READ A SECOND THIS 22<sup>ND</sup> DAY OF JUNE, 1999, AS AMENDED.

READ A THIRD AND FINAL TIME THIS 22<sup>ND</sup> DAY OF JUNE, 1999, AS AMENDED.

CERTIFIED A TRUE COPY

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
REGIONAL CLERK

\_\_\_\_\_  
REGIONAL CLERK

\_\_\_\_\_  
DATE

**DESIGNATED AREAS**

**PARKS:**

(A.G.T.) Shell Park  
Alberta Drive Pocket Park  
Borealis Park Centre  
Centennial Park Campground  
J. Howard Pew Memorial Park  
Ptarmigan Park/Waterways  
Sitikaw Park  
Snye Park

**All Borealis Parks Trails**

**ADOPT-A-PARKS:**

Adrian Crescent  
Athabasca Crescent  
Beale Crescent  
Birch Road  
Bird Crescent  
Burns Place  
Caldwell Crescent  
Clennel Crescent  
Biggs Avenue  
Cornwall Drive  
Cowley Bay  
Windsor Drive  
Duncan Drive  
Ermine Crescent  
Gladue Bay  
Hillcrest Drive Park  
Hinge Bay  
Hinge Road  
Piven Place  
Riedel Street  
Rock Bay  
Rose Bay  
Roundel Place  
Silverdale Garden  
Waterways  
Whiteoak Gardens

**PLAYGROUNDS IN PARKS:**

Aspenhill Drive  
Barber Drive  
Beattie Road  
Biggs Avenue  
Bird Crescent  
Brett Drive  
Brooks Place  
Centennial Drive  
Deep Road  
Father Beauregard  
Frank Spragins  
Greyling Terrace  
Ross A. Hennigar  
Simcoe Way  
Windsor Drive

**PLAYGROUNDS IN SCHOOL YARDS:**

Beaconhill (2)  
Birchwood  
Clearwater  
Dickinsfield  
Dr. K.A. Clark  
Father J. A. Turcotte  
Good Shepherd  
Greely Road Elementary  
Sister Mary Philips  
St. Paul’s School  
St. Gabriel Elementary  
St. Anne Elementary  
Thickwood Elementary  
Timberlea  
Westview (2)

**SCHEDULE "A"**

**SPORTSFIELDS:**

**Soccer/Rugby Fields:**

Beacon Hill  
Birchwood  
Clearwater School  
Corless  
Dr. K.A. Clark  
Father Mercredi  
Greely Road  
Gregoire Park  
J. Howard Pew  
MacDonald Island  
St. Paul's School  
St. Gabriel  
St. Gabriel  
St. Anne's School  
Thickwood  
Water Treatment Plant  
Westwood

**Ball Fields:**

Abasand  
Beacon Hill  
Birchwood (2)  
Dickinsfield  
Dr. K.A. Clark  
Father Turcotte  
Father Mercredi  
Good Shepherd  
Greely Road (2)  
Gregoire (2)  
J. Howard Pew  
Keyano  
Riedel Street  
Ron Morgan Little League Park  
Ross A. Hennigar  
Sister Mary Phillips  
St. Paul's  
St. Anne  
Thickwood  
Timberlea Athletic Park  
Westview

**All open green areas designated as Municipal Reserve land.**