

DISTRICT OF CAMPBELL RIVER

PROVINCE OF BRITISH COLUMBIA

BYLAW NO. 2498

A BYLAW OF THE DISTRICT OF CAMPBELL RIVER TO ESTABLISH RULES AND REGULATIONS FOR THE CONTROL OF PARKS AND PARK PROPERTY.

WHEREAS the Council of the District of Campbell River deems it wise and expedient to establish rules and regulations for the control of parks;

AND WHEREAS certain parcels of land within the Municipality are reserved for park purposes for the use and enjoyment of the general public;

NOW THEREFORE the Council of the District of Campbell River, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "**Parks Control Bylaw No. 2498, 1996**".
2. In this Bylaw unless the context otherwise requires:
 - "Director" means the Director of Parks, Recreation, and Culture.
 - "District" means the District of Campbell River.
 - "Park" means property owned and operated by the District for the pleasure and recreation of the public.
3. No person while in a Park shall:
 - (a) destroy, cut, mark, break, dig, pull-up, burn or in any other way damage, injure, remove or deface:
 - (i) any tree, flower bed, bush, shrub, plant, sod, grass or other vegetation, soil, sand, gravel or wood;
 - (ii) any monument, fountain, bridge, fence, wall, gate, roadway, pavement, parking area, sidewalk, walk or other erection or improvement;
 - (iii) any building or other structure; or
 - (iv) any swing, slide, playground apparatus, table, seat, bench, sign, bleacher or other fixture, equipment or personal property or ornament or utility placed, erected or maintained in the Park;
 - (b) permit any dogs or other animals, owned or harboured by the person, to enter any stream, pool or lake;
 - (c) deposit bottles, broken glass, paper, cardboard or empty cartons or other rubbish, trash or garbage other than into a refuse receptacle provided for such purposes;
 - (d) deposit any household waste or trade waste whatsoever;

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- (e) drive, park or stand any vehicle other than on roads, lanes or parking lots which have been designated and indicated for such use;
- (f) ride, lead or herd horses or other animals of any kind, other than on trails, roads or lanes which have been designated and indicated for such use;
- (g) launch a boat, sailboat, jetski or other motorized water vehicle other than from sites which have been designated and indicated for such use;
- (h) hit, propel, throw or direct an object in such a manner as to constitute a dangerous use of a Park including, but not so as to limit the generality of the foregoing, the hitting of golfballs, shooting of arrows, or launching of model rockets and airplanes;
- (i) No person while in a Park shall:
 - (i) participate in baseball, softball, football, rugby, fastball and frisbee other than in accordance with the accepted rules for such activities and not in a manner intended to injure persons or cause damage to property; and
 - (j) without prior written permission from the Municipal Engineer, place, dump or leave any foreign material of any nature whatsoever, including, but not limited to, sand, gravel or earth fill, in or upon or about any Park; or
 - (k) without prior written permission from the Director, who may require proof of acceptable insurance as a condition of such permission:
 - (i) operate any amplifying system or loud speaker;
 - (ii) camp overnight; or
 - (iii) enjoy the exclusive right to the use of all, or any portion, of the Park.

4. No person while in a Park shall:

- (a) take part in any procession, march, drill, performance, ceremony, concert or festival; or
- (b) carry on any commercial activity including, but not so as to limit the generality of the foregoing, offer for sale for profit any article of food, drink including alcohol, or merchandise.

without a permit.

5. Every applicant requesting a permit shall provide the following information to the Director in accordance with the application form attached to this Bylaw as Schedule "A":

- (a) the applicant's name, address, telephone number, and principal conduct;
- (b) the general use for which the permit is requested;

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- (c) the location of the Park, and the dates and times for which a permit are requested;
 - (d) the number of persons expected to take part in the procession, march, drill, performance, ceremony, concert or festival;
 - (e) details of proposed insurance that at a minimum shall include comprehensive all-risk liability insurance coverage in an amount not less than \$2,000,000 per occurrence, with the District to be an additional named insured; and
 - (f) a specific description of any commercial activities, if any, proposed including the names of any third party individuals or businesses that will be operating the commercial activity.
6. A permit shall be issued if:
- (a) the applicant is a recognized community non-profit organization;
 - (b) the Park requested in the application is Willow Point Park, Nunns Creek Park, Foreshore Park, Robron Park, Frank James Park, Pinecrest Park, Centennial Park, Exhibition Park, or any combination thereof, and is available for use on the dates and at the times requested in the application;
 - (c) the applicant has provided satisfactory proof to the Director that insurance is in place that complies with Section 5(e) of this Bylaw;
 - (d) the use does not contravene any other provision of this Bylaw;
 - (e) where commercial activity is purposed, the individual or company operating the activity holds a valid business license to operate within the District, and satisfactory proof of a valid license being in place is provided to the Director;
 - (f) the use has no detrimental effect on the Park requested; and
 - (g) the use, including any commercial activities, does not constitute a risk of injury to the public.
7. Notwithstanding anything in this Bylaw any Park, or any portion thereof, may at any time be temporarily closed to public use.
8. Access to the McIvor Lake Park, which encompasses the District's watershed, shall be controlled by way of a gate, or gates on McIvor lake Road (the "Gates"). The Gates shall be closed from 10:00 p.m. to 4:00 a.m. for the period from May 1 to the end of the Labour Day Weekend in any given year.
9. Except as otherwise provided in this Bylaw, any person who violates any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of the Bylaw, or who refuses, or omits or neglects to fulfill, observe, carry-out or perform any duty or obligation imposed by this Bylaw shall be liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offence.

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10. Parks Control Bylaw No. 1934, 1991 is hereby repealed.

Read a first time on the 23rd day of July , 1996.

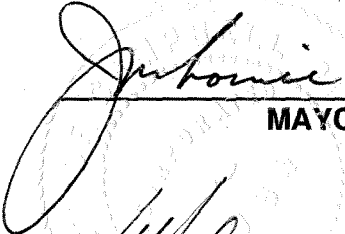
Read a second time on the 23rd day of July , 1996.

Read a third time on the 23rd day of July , 1996.


Third Reading rescinded on the 13th day of August, 1996. (Res.#96-991)

Re-read a third time on the 24th day of September , 1996.

Adopted on the 15th day of October , 1996.



MAYOR



CLERK

PERMIT FOR USE

DISTRICT OF CAMPBELL RIVER
 PARKS, RECREATION & CULTURAL DEPARTMENT
 301 St. Ann's Road, Campbell River, B.C. V9W 4C7
 Telephone: (604)923-7911 Fax: (604)923-7921

EVENT		APPLICATION DATE:	
ORGANIZATION:			
PERSON RESPONSIBLE:		ADDRESS:	
BUSINESS TELEPHONE:		RESIDENCE TELEPHONE:	
FACILITY REQUESTED:			
DATES & TIMES REQUIRED:			
ALTERNATE CONTACT:		TELEPHONE NO.:	
SPECIAL REQUESTS:			
COMMERCIAL ACTIVITY CONTEMPLATED:			
(i.e.: children's rides, paid entertainers, sale of merchandise)			
COMMENTS:			
NUMBER OF PARTICIPANTS:		TYPE OF ACTIVITY:	
WILL ALCOHOL BE SERVED: (Please circle)		YES	NO
INSURANCE REQUIRED: (Office Use Only)		YES	NO

Liability and Insurance Requirements for Major Events

The District of Campbell River requires Comprehensive General Liability Insurance from applicants requesting the use of Municipal Property except where;

- No alcohol is to be served and
- The number of participants is estimated to be less than one hundred & fifty (150) persons and
- The planned activity is unlikely to result in injury to the participants, guests, spectators or other users of the Park.

The Minimum Liability Insurance Requirements are:

- Comprehensive General Liability Policy of not less than \$2,000,000. Public Liability and Property Damage for non alcoholic functions.
- The District of Campbell River and/or School District #72 is named as an additional insured.

Cross Liability Clause.

Confirmation that the required insurance is currently in force must be submitted to the Parks, Recreation & Cultural Department Director a minimum of four (4) weeks prior to the event taking place.

Cross Liability Defined

In the event of claims being made by reason of Personal Insurance and/or Property Damage suffered by one Insured herein for which another Insured herein is or may be liable, the Policy shall cover such Insured against whom a claim is made or may be made in the same manner as if separate policies had been issued to each Insured herein.

PERMIT FOR USE (Terms)

1. The Permitholder in consideration for the issuance of this permit covenants with the District of Campbell river ("District") as follows:

- (a) to leave the facilities and property clean and tidy to the sole satisfaction of the District, and to reimburse the District or School Board No. 72 ("School Board") for any and all costs incurred should the Permitholder not satisfactorily complete this work;
- (b) To hold the event in accordance with the strict times and dates as authorized by the permit, and at the end of the time for the event set out in the permit, leave the site peaceably and in the same condition as before the event was held;
- (c) to comply with the District's "Key Deposit Policy" where keys are obtained for access to buildings, gates, power, water, or other amenities, and to obtain such keys from the Parks, Recreation and Cultural Department only during regular working hours being Monday to Friday, 8:30 a.m. to 4:30 p.m.
- (d) to properly secure all locks to facilities and property on completion of an event;
- (e) to be responsible for any and all damages resulting from the use of the facilities, and to cancel all activities as a result of inclement weather, or when the field conditions are wet;
- (f) to prohibit the consumption of liquor during the event except with the prior written permission of the District, and where permitted by the District to comply with all regulations of the Liquor Control and License Act, including the obtaining of all necessary permits, and obtain the required insurance. Permission from the District should be initiated by a letter of request to the Director at least two months prior to the event taking place.
- (g) to supply an adequate number of portable restroom facilities where the event is located at a site that does not have sufficient permanent facilities;
- (h) to obtain the necessary fire permits from the Campbell River Fire Department where the event requires the use of enclosures, tents or other fabric structures, handling of vehicle fuel, cooking facilities, open flame, or fireworks;
- (i) to inform the District, RCMP, Emergency and Fire officials where the event requires traffic control, and to carry out such traffic control as to avoid traffic problems for event attenders as well as non participants travelling through the area, and not to interfere with emergency routes for ambulances or fire trucks by the inappropriate placement of barriers, cones, or temporary signs;

- (j) to be responsible for all costs of extra law enforcement where required;
- (k) to comply with the guidelines for food handling preparation, and distribution of the Health Department where food is to be served or sold at an event;
- (l) to not use any form of vehicles on site except with the permission of the Director;
- (m) to prohibit all commercial activity except as authorized the permit;
- (n) to inspect the facility before the event takes place to ensure there are no safety hazards;
- (o) to provide adult supervision to all participants taking part the event;
- (p) to ensure that all participants are wearing the appropriate clothing and footwear for the event;
- (q) to allow only invited guests, paid attendees, or players take part in the event; and
- (r) to immediately bring to the attention of District Officials any potential hazards, and to immediately correct such hazards, or identify and warn the participants of the hazard prior to the commencement of the event.

2. In the event of a breach of any of the terms contained in Section 1, the permit shall be immediately cancelled and the Permitholder agrees that he shall not be entitled to future permits in the event of a breach of permit previously issued by the District.

3. The Permitholder accepts the facilities requested as is where is at the Permitholder's own risk, and without recourse against the District for any reason whatsoever.

4. The Permitholder agrees to indemnify and save harmless the District of Campbell River, and the School Board where appropriate, for any and all liability for loss, costs, or damages resulting from bodily injury, including death, of or to any persons, or from damage to the property of others arising from the use authorized by the permit, or the holding of the event.

I HAVE READ, UNDERSTAND, AND AGREE TO THE TERMS ABOVE

SIGNED ON BEHALF OF THE _____
(NAME OF GROUP)

BY ITS AUTHORIZED SIGNATORIES:

President

Secretary

PERMIT APPROVED:

Date: _____ Signature/Position: _____