

This is a consolidated bylaw prepared by The Corporation of the City of Penticton for convenience only. The city 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.

THE CORPORATION OF THE CITY OF PENTICTON

PARKS CONSOLIDATION BYLAW

NO. 3133

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THE CORPORATION OF THE CITY OF PENTICTON

A BY-LAW OF THE CORPORATION OF THE CITY OF PENTICTON TO REGULATE THE USE OF PARKS, BEACHES AND BOULEVARDS

The Municipal Council of The Corporation of the City of Penticton in open meeting assembled ENACTS as follows:

1. This By-law may be cited as "The City of Penticton Park Regulation By-law, 1974".
2. In this By-law, unless the context otherwise requires, "camping equipment" includes: tents, sleeping bags, knapsacks, or bedrolls; "park" includes all dedicated or public parks, City Hall grounds, the Esplanade, or other lands used for public park, and all public beaches within the corporate boundaries of The Corporation of the City of Penticton.
3. No person shall enter or be upon any public beach, Skaha Lake Park, Rotary Park, Gyro Park, Okanagan Lake Park, Lakawanna Park, Riverside Park, between the hours of 12:00 o'clock Midnight and 6:00 o'clock in the forenoon each day; and no person shall enter or be upon any other park between the hours of 1:00 o'clock in the fore- noon and 6:00 o'clock in the forenoon each day; provided however that nothing in this section shall prevent any officers, employees or agent of The Corporation of the City of Penticton from entering or being upon or within any park in the exercise of their duty.
4. No person shall set up or occupy any camper, trailer, or other form of temporary shelter on or within any park or upon any street or public property within the corporate limits of the City of Penticton, unless expressly authorized by the City Council or Committee thereof.
5. No person shall carry into or deposit upon any park any camping equipment.
6. No person shall take away any gravel, sand or earth from any part of any beach or shore of Okanagan Lake or Skaha Lake within the corporate limits of the City of Penticton.
7. No person shall throw any stones, glass, bottles, cans or litter on any beach or in the water adjacent to such beach.

8. No person shall move or remove buoys, rafts, signs or other apparatus from any beach, or from water adjacent to such beach; nor shall any person place any buoys, rafts, signs or other apparatus in any water adjacent to any beach within the corporate limits of the City of Penticton unless authority has been granted by the City Council or any Council Committee. The section shall not apply to employees or agents of the Government of the Dominion of Canada, the Government of the Province of British Columbia, or The Corporation of the City of Penticton, carrying out their assigned duties.
9. No person shall light any fire on any public beach or park within the corporate limits of the City of Penticton, 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 vehicle, boat or vessel, inside the areas designated by buoys as being restricted to bathing only, or where such operation is permitted, at a greater speed than that indicated by signs on said buoys. This section shall not apply to employees or agents of the Government of the Dominion of Canada, the Government of the Province of British Columbia, or The Corporation of the City of Penticton, carrying out their assigned duties.
11. Any Police Officer, Constable, caretaker, officer or employee of The Corporation of the City of Penticton, or other person duly authorized, may exclude from the public squares, parks, beaches and grounds, all drunken or filthy persons, vagrants and notoriously bad characters, and may remove therefrom any person who is violating any By-law of The Corporation of the City of Penticton, or is committing any nuisance or guilty of any disorderly conduct.
12. 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 City of Penticton carrying out his regular duties.
13. No person shall be in any building, swimming pool, tennis court, or other enclosure or structure in any park except during the hours that said building, swimming pool, tennis court or other structure is authorized to be used or to be open by the City Council or any Committee thereof. This section does not apply to any employee or agent of The Corporation of the City of Penticton carrying out his regular duties.
14. No person shall break, injure or damage the locks, gates, bolts, fences, seats, benches, buildings, structures, or other property placed in public squares, on beaches, on boulevards, or in parks or grounds.
15. No person shall wilfully destroy, mutilate, efface, deface, or remove any sign posted under this or any other By-law.
16. No person shall climb, bark, break, peel, cut, deface, remove, injure, root up or otherwise destroy or damage the trees, shrubs, flowers, roots or grass planted,

- growing, or being in the public squares, on beaches, on boulevards, or in parks or grounds.
17. (a) No smoking of tobacco shall be permitted in any of the buildings in any public park wherein signs prohibiting same are displayed by order of the City Council or any Committee thereof.
(b) No person shall be permitted in any park to possess open liquor at any time, except where the said liquor is possessed pursuant to and in compliance with a licence issued under the Liquor Control and Licensing Act.
 18. No person shall play or practise the game of golf or similar games played with golf clubs and balls in any public park, except in areas of a public park that have been designated for the playing and practising of golf or similar games by the Municipal Council or any Committee thereof.
 19. No person shall cause, allow or permit horses, or other animals to be in any park or on any beach within the corporate limits of the City of Penticton unless authorized by special permit issued by the City as a community event. Dogs on a leash and under the control of their owner, possessor, harbourer or custodian are permitted in all municipal parks with the following exceptions;
 - a) on or within 10m of playground equipment
 - b) a cemetery
 - c) at an event organizers' discretion during a special event
 - d) Public beaches with the exception of dog beach (Skaha Lake), Okanagan Lake Beach area between Ellis Street and Van Horne Street, and Okanagan Beach promenade (only from Labour Day to Victoria Day).
 20. No person shall ride or drive any horse in, upon, or through any public squares, parks, or grounds, where specifically permitted to do so, at an immoderate rate, or so as to incommode or interfere with, or endanger other persons frequenting the same.
 21. No owner or keeper of any horse, cattle or swine shall suffer the same to go at large or to feed upon the public squares, parks or grounds, and any horse, cattle or swine found at large therein shall be impounded.
 22. No person shall ride, drive or lead any animal, or any carriage, wagon, bicycle, motorcycle, scooter, automobile, sleigh, snowmobile or other vehicle or conveyance in or upon any of the public squares, parks, grounds or boulevards within the boundaries of The Corporation of the City of Penticton, except in areas specifically provided for such purposes; provided however, that nothing in this section contained shall prevent any bicyclist, having first dismounted from his bicycle, from taking the same upon the turf or sward, or upon or along any sidewalk, pathway or footpath in any park.

Notwithstanding the requirements under this Section, "Special community events", sanctioned by City Council, and providing public entertainment or community wide competition and involvement, may be permitted provided that the facilities are returned to their former and natural condition immediately upon conclusion of the permitted event. (#87-21)

23. No person shall ride or drive any snowmobile in or upon any school- ground.
24. Shade trees may be placed or planted in any street within the Municipality at such distances and places and of such kind as shall be directed or permitted by the Parks Committee, but nothing herein contained shall be taken to authorize the planting of the trees known as "elm", "silver poplar", "balm of gilead", "cotton trees" or "willow trees" or other trees harbouring pests injurious to fruit culture, and the planting thereof in any such street is hereby prohibited.25. No person shall break, injure, dig or destroy any trees lawfully planted in, 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, but such changes of trees or grass may be made as shall be authorized in writing by the Parks Committee.
26. No person shall park boat trailers (unhitched from tow vehicles), boats or any other equipment at any boat launching ramps and/or marina mooring parking lots within the corporate limits of the City of Penticton at any time. Unloaded trailers attached to tow vehicles may be parked in designated areas for a period no longer than three (3) days, except in an area provided as a storage space and rented as such by the marina operators. Any boat trailer, boat, or any other equipment parked in violation of the above provision will be removed from said parking lots, and the owner thereof may recover such chattels by paying the cost of removal and storage charges.
27. Any person contravening or committing any breach of the provisions of this By-law is liable, upon summary conviction, to a fine of not less than Twenty-five Dollars (\$25.00), and not more than Five Hundred Dollars (\$500.00), or to a term of imprisonment not exceeding one (1) month.
28. That By-laws numbered 878, 1568, 1952, 2068, 2094, 2376, 2398, 2856, 2907, 2914, 3034, 3035, 3031, 3043, 3077 and 3099, be and hereby are repealed.

Read a first, second and third time by the Municipal Council on the 21st day of May, 1974.

Reconsidered and finally passed by the Municipal Council this 27th day of May, 1974.

"F. Laird"

Mayor

"J. Sewell"
Acting Clerk

I, C. James Sewell, Acting Clerk of The Corporation of the City of Penticton, hereby certify the within to be a true and correct copy of Bylaw No. 3133, signed by the Mayor and Acting Clerk, and sealed with the seal of the said Corporation on the 27th day of May, 1974.

"J. Sewell"
Acting Clerk

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