

## The Corporation of the City of Penticton

### Parks Regulation Bylaw No. 2025-15

*A bylaw to regulate parks, trails, beaches, and boulevards.*

---

WHEREAS the Council of the Corporation of the City of Penticton wishes to enact regulations governing the use of Parks, Trails, beaches, and boulevards;

NOW THEREFORE BE IT RESOLVED the Council of the Corporation of the City of Penticton, in open meeting assembled, ENACTS AS FOLLOWS:

#### 1.0 CITATION

1.1 This bylaw may be cited for all purposes as "Parks Regulation Bylaw No. 2025-15".

#### 2.0 DEFINITIONS

2.1 In this bylaw, unless the context requires otherwise, the following definitions apply

**CITY** means the City of Penticton;

**COMMERCIAL ACTIVITY** means the sale, display or rental of goods or services;

**COMMON FACILITIES** means facilities, structures and amenities placed within a Park or Trail for the common use and enjoyment of members of the public, and without limiting the foregoing includes playgrounds, play equipment, playing fields, garbage receptacles, landscaped areas, washrooms, drinking fountains, boat launches, docks, wharfs, picnic tables, shelters, parking areas and parking lots, signs, walkways and Trails, and all other City structures and facilities that are provided for public use within a Park;

**COUNCIL** means the Municipal Council of the City of Penticton;

**CULTURALLY SENSITIVE AREA** means any part of a Park that is:

- (a) a heritage site as defined in the Heritage Conservation Act whether designated or not; or
- (b) identified in a plan, map, registry, or City bylaw as having historical or cultural significance to British Columbia or First Nations people;

**EFFECTIVE CONTROL** in reference to a dog means that the dog is within sight of a competent person and will return to that person promptly on command;

**ENVIRONMENTALLY SENSITIVE AREA** means any part of a Park or Trail that has any of the following characteristics:

- (a) areas or landscape features in any Sensitive Ecosystem Inventory published by the Province of British Columbia; or
- (b) areas or landscape features identified in any map, plan, registry, or City bylaw as environmentally significant, an environmental protection area, a development permit area for the protection of

the environment, or for another similar purpose that is compatible with the conservation of ecological features and functions on the site;

**FOOTPATH** means a way, thoroughfare, street, road, or sidewalk within a Park that is set apart and improved by grading, gravelling, or other means for the use of Pedestrians;

**GREEN WASTE** means a biodegradable waste that is composed of grass, flower and hedge cuttings, leaves, branches and other vegetation, as well as food waste;

**LEASH** means a chain, rope, cord or strap by which an animal may be led or controlled and adequately restrained;

**LEASH OPTIONAL** means an area in a Park or Trail designated by sign or notice placed by the City, where persons with Effective Control of a dog may allow their dog to be off-Leash;

**MULTI USE PATH** means an area that is designated by a traffic control device for use by Pedestrians and Wheeled Conveyances;

**MOOR** means to make fast a Vessel to a dock, wharf or boat ramp by ropes, cables, anchors or other means;

**NATURAL PARK FEATURE** means a Tree, shrub, herb, flower, grass, turf, or other plant or fungus and all soil, sand, silt, gravel, rock, mineral, wood, fallen timber, driftwood, or other natural Park resource in a Park or Trail;

**OCCUPY** means to remain in, or to leave one's belongings in, the same location or within 100 metres of that location;

**ON-SITE REFUSE** means all garbage, food remains, refuse, and other waste generated by persons while they are in a Park or Trail;

**PARK** means any property that:

- (a) the City holds in fee simple, or by lease, license, permit, covenant, statutory right-of-way, easement, or occupancy or access agreement, for park purposes;
- (b) the City acquires possession or control of for park purposes; and,
- (c) includes the following categories of property owned or under the possession and control of the City and commonly referred to as: park, regional park, community park, community recreation park, coastal recreation park, neighbourhood park, special purpose park, linear corridor park, tot lot park, river corridor park, lakefront park, off Leash dog park, bike park, community garden, community forest, nature centre, boat launch, cemetery, trail, connector trail, multi-use trail/pathway, community pathway, bike path, Trans Canada Trail, boardwalk, equestrian trail, walking/hiking trail, and all playgrounds, sports courts, sports fields, swimming and wading pools, forests, greenbelts, ecological reserves, conservation areas, marshes, beaches, beach accesses, docks, wharves and boat ramps;

**PARK HOURS** means:

- (a) for a Park, the time between 6am to 12am; such other permitted hours of use that are designated by a sign or notice placed by the City within a Park or
- (b) for a Trail that is outside of a Park or is a Multi Use Path, at all times unless limited hours are designated by a sign or notice placed by the City within a Park or Trail;

**PARK PERMIT** means permits, including license to use agreements, issued under this bylaw authorizing an activity or Special Use in a Park or Trail;

**PARKING, PARK, or PARKED** means to station any Vehicle;

**PEDESTRIAN** means a person traveling on foot, or in a wheel chair, or an infant or young child in a stroller or perambulator;

**PROHIBITED MATERIAL** has the same meaning as under Section 12 of the Open Burning Smoke Control Regulation, B.C. Reg. 145/93, as amended or replaced from time to time;

**SMOKE** or **SMOKING** means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe, hookah or other lighted smoking equipment burning tobacco, cannabis or any other similar substance;

**SPECIAL USE** means:

- (a) any commercial or non-commercial service, activity or event that is intended to attract or requires participants or spectators and includes but is not limited to: a festival; competition; tournament; procession; drill; performance; concert; gathering; march; fishing derby; show; party; outdoor ceremony; regatta; animal show; group training or lesson; recreational programming; demonstration; operation of a model airplane, Vehicle or Vessel; television or motion picture filming;
- (b) any research, survey, or petition activity;
- (c) the reserved use of Common Facilities for a group function or special event;
- (d) any incursion onto a Park or Trail for non-Park purposes including access for water lines, structures, roads, signs or fences; and
- (e) rock climbing, rappelling, hang gliding, base jumping and other activities of a similarly hazardous nature;

**TEMPORARY OVERNIGHT SHELTER** means a temporary structure, including a tent, lean-to, or other form of overhead shelter constructed from tarpaulin, plastic, cardboard, or other rigid or non-rigid material, which can be disassembled each morning, and is used by an Unsheltered Person to protect themselves from the elements;

**TRAIL** means:

- (a) any maintained path or trail designated for recreational use within a Park;

(b) any Multi Use Path; or

(c) any trail outside of a Park that the City acquires possession or control of for recreational purposes;

**TREE** means any living, self-supporting, woody plant that has a trunk or stem and a root system;

**UNSHELTERED PERSON** means a person who does not have access to permanent or temporary housing, accommodation, or indoor overnight shelter, whether within the boundaries of the City of Penticton or elsewhere;

**VAPE** or **VAPING** means the operating of an electronic vaping device that heats up and/or otherwise vaporizes a liquid or solid into an aerosol mist intended to be inhaled and exhaled;

**VEHICLE** means a device in, on or by which a person or thing is or may be transported or drawn upon a highway, and without limiting the generality of the foregoing, includes cars, trucks, motorcycles, all-terrain vehicles, scooters, recreational vehicles, snowmobiles, and trailers but does not include Wheeled Conveyances, medi-scooters and wheelchairs, a device designed to be moved by human-power, a device used exclusively upon stationary rails or tracks, or mobile equipment;

**VESSEL** includes any ship, boat, seaplane, parasail, sailboard, kite board, canoe, kayak, row boat, paddle boat or other device used or designed to be used for navigation on, in or under water;

**WHEELED CONVEYANCE** means a device having any number of wheels that is propelled by human power or a combination of human power and an electric motor, and on which a person may ride including a bicycle, skateboard, roller skates, in line skates and similar conveyances but not including a wheelchair;

### **3.0 INTERPRETATION AND APPLICATION**

3.1 The intent of this bylaw is to regulate the use of Parks and Trails in a manner that balances

(a) the City's responsibility to provide for stewardship of Parks and Trails, as public assets of the community which provide opportunities for outdoor recreation and enjoyment, and to regulate Parks and Trails in a manner which is consistent with the purposes of these public assets

and

(b) individual rights under the Charter of Rights and Freedoms, including the rights of freedom of assembly, freedom of expression, and security of the person.

3.2 The headings to the clauses in this bylaw have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this bylaw or any provision of it.



- 3.3 This bylaw shall not be interpreted as impairing or preventing the City or its employees, contractors and agents from carrying out Park or Trail maintenance, development and construction work.
- 3.4 This bylaw applies to all Parks and Trails the City currently owns, holds, or has possession or control of, and to all Parks and Trails that are acquired after the adoption of this bylaw.
- 3.5 For certainty, and without limiting the application of any other City bylaw, the following bylaws, as they may be amended or replaced from time to time, also regulate the use of Parks and Trails:
  - 3.5.1 City Tree Protection Bylaw No. 2001-06;
  - 3.5.2 Smoking Regulations Bylaw No. 2018-68;
  - 3.5.3 Animal Control Bylaw No. 2021-02;
  - 3.5.4 Safe Public Spaces Bylaw No. 2023-06;
  - 3.5.5 Bow and Arrow and Firearms Regulation Bylaw No. 2015-37; and
  - 3.5.6 Fire and Life Safety Bylaw No. 2004-57.

#### **4.0 ENFORCEMENT AND DELEGATION**

- 4.1 The following persons are authorized by the City to enforce the provisions of this bylaw:
  - (a) The City's Manager of Bylaw Services;
  - (b) The City's Bylaw Enforcement Officers;
  - (c) The City's Dog Control Officers;
  - (d) The City's Public Works Manager;
  - (e) The City's General Manager of Infrastructure;
  - (f) The City's Fire Chief;
  - (g) The City's Parks Supervisor;
  - (h) The City's General Manager of Public Safety and Partnerships;
  - (i) The City's Policing Operations Manager; and
  - (j) members of the Royal Canadian Mounted Police.
- 4.2 The City's Parks Supervisor is authorized to post signs and notices, or to order that signs and notices be posted, in Parks and on Trails that establish rules for the use of a Park or Trail that are consistent with this bylaw, including rules that:
  - (a) establish conditions for the use of certain areas;
  - (b) designate areas in which certain activities are permitted or prohibited;

- (c) restrict, limit or prohibit access to certain areas; or
  - (d) establish permitted hours of use.
- 4.3 A person must not interfere with, hinder, or obstruct a person identified in Section 4.1, or any employee of the City, in the performance of their duties.
- 4.4 An employee of the City engaged in clean-up, maintenance, renovation, or other work in a Park or on a Trail may request that any person in such Park or Trail move to another part of such Park or Trail or to leave such Park or Trail, until the completion of such clean-up, maintenance, renovation, or other work, if it is necessary for the safe and efficient performance of that employee's duties, and:
  - (a) a person requested to move under this Section 4.4 must promptly comply with the request; and
  - (b) if directed to do so by a City employee, a person requested to move under this Section 4.4 must remove all of their property from such Park or Trail.

## **5.0 USE OF PARKS AND TRAILS**

- 5.1 No person shall use a Park or Trail in a manner which contravenes this Bylaw.
- 5.2 No person shall use a Park or Trail for a Commercial Activity or Special Use unless authorized by a Park Permit.
- 5.3 No Person shall abandon any property or goods in a Park or a Trail, and shall ensure that all property or goods brought into a Park or Trail are removed from such Park or Trail prior to the end of the Park Hours.
- 5.4 While in a Park or on a Trail, no person shall erect or Occupy any form of shelter, other than:
  - (a) a temporary structure, such as a tent, canopy, umbrella, or sun-shade, where such structures at all times have at least one side fully open, and are intended and used only for the purposes of protection from the elements during Park Hours, or
  - (b) in accordance with Section 8.2
- 5.5 No person shall, without prior written permission of the City, bring into or possess in any Park or on a Trail, any of the following:
  - (a) pallets;
  - (b) fencing;
  - (c) lumber, plywood, drywall, insulation, or any other construction material;
  - (d) generators;
  - (e) extension cords; or

(f) power tools.

- 5.6 No person shall damage, modify, or otherwise tamper with any Common Facility or Park or Trail infrastructure, including electrical or plumbing systems, drinking fountains, washrooms, seating, fencing, or structures lawfully in a Park or Trail, or other objects placed in a Park or Trail by the City and intended to be used by members of the public. For certainty, no person other than City staff may, without the express authorization of the City, connect, attach, or affix any items to the electrical or plumbing systems of any Common Facility or other Park or Trail infrastructure.

## **6.0 HOURS OF PARK AND TRAIL USE**

- 6.1 All Parks and Trails are closed to use except during Park Hours, unless authorized by a Permit.
- 6.2 No person shall enter or remain in a Park or on a Trail when the Park or Trail is closed to use, subject to Section 8.2.

## **7.0 ANIMALS IN PARKS**

- 7.1 No person shall ride, lead, or have charge of, any horse or other riding animal in a Park or on a Trail except:
- (a) on areas designated for those activities by signs or notices placed by the City; or
  - (b) as otherwise authorized by the City in writing.
- 7.2 Except in the performance of their lawful duties, no person shall molest, feed, disturb, frighten, harass, injure, kill, catch, or trap any animals in a Park or on a Trail.
- 7.3 No person shall permit or allow a dog that is owned or under the control of that person to be or remain:
- (a) on any wharf, dock, float or beach area within a Park that is designated for swimming;
  - (b) within 10 metres of any playground or splash pad;
  - (c) within 4 metres of any Environmentally or Culturally Sensitive Area;
  - (d) within 4 metres of any cemetery or burial ground;
  - (e) within 4 metres of any community garden;
  - (f) within 4 metres of any horticultural area; or
  - (g) on any sports field.
- 7.4 A person entering a Park or Trail with a dog shall:
- (a) keep the dog under control at all times;

- (b) keep the dog Leashed at all times except within Leash Optional areas;
- (c) within a Leash Optional area, ensure that the dog is under Effective Control at all times;
- (d) restrain or remove the dog from a Park or Trail when requested by any person authorized to administer this bylaw;
- (e) carry at all times and use as required by this bylaw a Leash and collar for each dog; and
- (f) remove from the Park or Trail the feces deposited by that dog and dispose of the dog's feces in a sanitary manner.

## **8.0 RESTRICTION ON CONSTRUCTION AND SHELTERING**

- 8.1 No person shall use, Occupy, maintain, place, erect, or construct, or cause to be or used, occupied, maintained, placed, erected, or constructed, a shelter, tent, building, or other structure in a Park or Trail except:
  - (a) for the purposes of an event permitted under Section 12.3, and then only in accordance with the terms of such Park Permit; or
  - (b) with the express prior permission of Council.
- 8.2 The prohibitions under Sections 6.2 and 8.1 do not apply to an Unsheltered Person who uses, occupies, maintains, erects, or constructs a Temporary Overnight Shelter between the hours of 7:00 p.m. of one day and 9:00 a.m. of the next day, provided that:
  - 8.2.1 the Temporary Overnight Shelter complies with Section 8.3;
  - 8.2.2 the Temporary Overnight Shelter does not Occupy more than 9 square metres in area, including all associated objects and possessions; and
  - 8.2.3 the Unsheltered Person promptly disassembles and removes the Temporary Overnight Shelter from its location in the Park by the expiry of the time period referred to in this Section 8.2.
- 8.3 Temporary Overnight Shelter must not be used, occupied, maintained, placed, erected, or constructed at any time:
  - (a) in, or within 4 metres of, an Environmentally or Culturally Sensitive Area, cemetery or burial ground, community garden, or horticultural area;
  - (b) in, or within 15 metres of, a playground, or a spray or wading pool;
  - (c) in, or within 4 metres of, a sports field or court, Footpath, or road within a Park;
  - (d) in, or within 4 metres of, any area within a Park that has been designated for an event or activity under

- (i) a valid and subsisting permit issued under the authority of this bylaw, or
- (ii) a lease, licence, or other agreement authorized by Council;
- (e) in, or within 4 metres of, any Trail;
- (f) within 4 metres of a private property line;
- (g) within 50 metres of a school as defined in the School Act,
- (h) within 15 metres of a building entrance or exit
- (i) within 4 metres of another Temporary Overnight Shelter; or
- (j) within the following parks:
  - (i) Okanagan Beach, SS Sicamous Park, and Rose Garden;
  - (ii) Rotary Park, Gyro Park, and Okanagan Lake Park;
  - (iii) Japanese Garden, Marina Way Park, and Marina Way Beach;
  - (iv) Northern Section of Lakawanna Park, located at 886 Lakeshore Drive W;
  - (v) Skaha Lake Beach, Sudbury Beach, and Skaha Lake Park;
- 8.4 No person shall use a boat or Vessel as a residence or overnight accommodation while Moored in a Park.

## **9.0 DAMAGE TO PARKS AND TRAILS**

- 9.1 No person shall alter, remove, destroy, cut or damage any Natural Park Feature, or any building, structure, or Common Facility in a Park or on a Trail, without the written permission of the City.
- 9.2 No person shall deposit, add, or plant any Natural Park Feature in a Park or on a Trail without the written permission of the City.
- 9.3 No person shall deposit any refuse, Green Waste, debris or other material of any kind, into or within any Park or Trail, without the written permission of the City.
- 9.4 No person shall build or otherwise create or alter any Trails within a Park without the written permission of the City.
- 9.5 No person shall build, place or install any permanent or temporary structures or facilities within a Park or on a Trail without the written permission of the City, other than in accordance with Section 8.2.
- 9.6 No person shall let off, turn on, or discharge water out of any tap, pipe, hose or other fixture within a Park or Trail so that the water is wasted.
- 9.7 A person who damages, removes, cuts or destroys a Natural Park Feature, common facility, or a building or structure in a Park or on a Trail, without the written permission

of the City, may be required to replace that Natural Park Feature, common facility, building or structure with one of similar value, or to pay an equivalent amount to the City, upon demand issued under the authority of the Parks Supervisor or by the Council.

- 9.8 No person shall break, alter, damage or interfere with the locks, gates, bolts, fences, seats, benches, buildings, structures, or other property of the City placed in any Parks or Trails

## **10.0 FIRES**

- 10.1 No person shall kindle, build, light, maintain, or use any fire at any location in a Park or Trail, other than a fire in a fire ring or receptacle provided for that purpose by the City.
- 10.2 No person shall throw or place upon the ground in a Park or Trail any lighted material, cigar, cigarette or other burning or smoldering object.
- 10.3 No person shall possess, store, or use in a Park or Trail
- (a) a barbeque, stove, gas or electric heater, or any appliance or improvised device, if its operation requires or involves spark or flame; or
  - (b) a propane tank, gasoline container, or any flammable gas or liquid.
- 10.4 The prohibitions under Section 10.3 shall not apply to a barbeque and associated fuel source, which is used for the sole purpose of preparing food, provided that the barbecue and associated fuel source are:
- (a) used in accordance with the manufacturer's instructions;
  - (b) certified for outdoor use by the Canadian Standards Association (CSA);
  - (c) located at least 2 metres from:
    - (i) any building, structure, or Temporary Overnight Shelter; or
    - (ii) any of the locations identified in Sections 8.3(a) through (f);
  - (d) not used in any Park or location where open flame is expressly prohibited;
  - (e) where the fuel source is held in a container or tank, that such container or tank does not exceed 5 (five) kilograms in weight; and
  - (f) not in contravention of any other applicable City bylaw.
- 10.5 No person shall leave unattended a fire ring or barbeque while it is lit, turned on, or otherwise in operation in a Park or on a Trail.
- 10.6 No person shall burn any Prohibited Material in a Park or on a Trail.

## **11.0 GENERAL PROHIBITIONS**

- 11.1 No person shall deposit or leave any On-Site Refuse anywhere in a Park or Trail, except in waste receptacles provided by the City for that purpose.
- 11.2 Except for the disposal of On-Site Refuse into waste receptacles provided for that purpose, no person shall dispose of any domestic, commercial, or industrial litter or waste in a Park or on a Trail.
- 11.3 No person shall possess or consume liquor in a Park or on a Trail:
  - (a) except public areas designated for the responsible consumption of liquor, under the Liquor Consumption (Okanagan Beach, Rotary Park, Okanagan Lake Park, Marina Way Park, Marina Way Beach, Skaha Lake Park and Sudbury Beach) Bylaw No. 2023-05, as amended or replaced from time to time;
  - (b) except in a location where the liquor is possessed and consumed pursuant to and in compliance with a licence issued under the Liquor Control and Licensing Act (British Columbia); and
  - (c) unless that person has obtained all legally required permits for the consumption of liquor in that place, including a valid Park Permit.
- 11.4 No person shall Smoke or Vape within a Park or Trail except in areas designated as Smoking or Vaping areas by sign or notice placed by the City, and shall at all times adhere to the prohibitions set out in Smoking Regulations Bylaw No. 2018-68, as amended or replaced from time to time.
- 11.5 No person shall play or practice the game of golf or similar games played with golf clubs in any Park or Trail, except in areas of a Park that have been designated for the playing and practicing of golf or similar games by Council or any committee thereof.

## **12.0 PARK PERMITS**

- 12.1 Application for a Park Permit authorizing a Special Use may be made to the City's Parks Supervisor or Manager of Recreation who may:
  - (a) grant or refuse the application;
  - (b) impose terms and conditions for obtaining and holding the Park Permit; or
  - (c) refer the application to the Council for determination.
- 12.2 An application for a Park Permit must be accompanied by the applicable permit fee and all applicable information associated with the proposed use of the Park.
- 12.3 When approving a Park Permit the City's Parks Supervisor or Manager of Recreation may impose one or more of the following terms and conditions:
  - (a) the location and times during which the Special Use may be carried out;

- (b) that the applicant supply additional services necessary for the Special Use, including but not limited to sanitary, health, emergency, security, traffic control and police services;
- (c) restrictions on the number of person who may attend or participate in the Special Use;
- (d) restrictions on the use of generators, sound amplification and public address systems, the playing of live or recorded music, and the placement of temporary structures associated with the Special Use;
- (e) that the applicant provide a damage deposit in an amount determined by the City's Parks Supervisor or Manager of Recreation;
- (f) that the applicant provide proof of liability insurance in an amount and in a form approved by the City;
- (g) that the applicant obtain other associated permits or approvals; and
- (h) terms and conditions considered necessary for the protection of the Park or Trail, users of the Park and Trail, and organizers, participants and contractors involved in the Special Use, and for the prevention of nuisances or disturbances to the surrounding neighbourhood.

12.4 A Park Permit may be issued if:

- (a) the proposed Special Use conforms to City Park use policies and to any City Park management plan that is in place for that Park or Trail;
- (b) the proposed Special Use will not cause damage to the Park or Trail, any Natural Park Feature, or any common facility or structure within the Park or Trail;
- (c) the applicant agrees to indemnify and save harmless the City from and against any damages or claims that arise from the Special Use; and
- (d) the applicant has agreed in writing to the terms and conditions of the Park Permit.

12.5 Where the holder of a Park Permit fails to comply with this bylaw or the terms and conditions of the Park Permit, then in addition to any other enforcement action or penalties:

- (a) the City may revoke the Park Permit;
- (b) the applicant may be required to pay the City's costs in undertaking any remedial work necessary to repair any damage to Park or Trail Common Facilities or a Natural Park Feature; and
- (c) the damage deposit paid by the applicant may be withheld and applied towards the costs incurred by the City in performing the remedial work referred to in Subsection (b) above.



### **13.0 VEHICLE AND WHEELED CONVEYANCE CONTROL**

13.1 The regulations relating to Vehicle and Wheeled Conveyance use within Parks and Trails are as follows:

- (a) no person shall operate a Vehicle or Wheeled Conveyance below the natural boundary of a body of water in a Park, off the designated road ways, or in such a manner as to disturb a Natural Park Feature;
- (b) no person, except authorized City personnel patrolling on a Wheeled Conveyance in a Park or on a Trail, shall operate any Vehicle or Wheeled Conveyance in a Park or on a Trail except on public roads or Trails designated for such use, including but not limited to a Multi Use Path;
- (c) no person, except authorized City personnel engaged in the development or maintenance of the Park, shall operate or cause to be operated, or push or tow, any Vehicle, other than a medi-scooter, wheelchair, or Wheeled Conveyance, on or along a Trail;
- (d) no person shall Park a Vehicle on any public road or right-of-way in such a manner as to impede proper use of the road or in such a place or manner as to damage a Natural Park Feature, or so as to restrict or inhibit public recreational use of a Park;
- (e) no person shall Park or leave a Vehicle in a Park or parking area outside of Park Hours;
- (f) no person shall clean, repair or carry out maintenance on a Vehicle within a Park or Trail; and
- (g) no person shall Park a Vehicle in areas where Parking is prohibited by, or contrary to, a sign or posted notice.

13.2 Every person shall comply with all traffic control devices within a Park or Trail.

13.3 Every person shall comply with all other City regulations, prohibitions, policies or requirements for the use of a Park or Trail, which have been identified on signage posted within the Park or on the Trail.

13.4 Where no speed limit is posted, no person shall operate a Vehicle in a Park at a greater speed than 10 kilometers per hour.

13.5 Any motor Vehicle Parked in violation of this bylaw may be removed and impounded, and the owner of the motor Vehicle shall pay the cost of removal and impoundment before the motor Vehicle is returned to the said owner.

### **14.0 VESSELS**

14.1 No person shall, in a Park:

- (a) launch or remove a Vessel from a body of water except:

- (i) from a designated boat launch ramp,
  - (ii) from a designated boat beach area;
  - (iii) from a designated area for launching kite surfing; or
  - (iv) by lifting and physically carrying, and not dragging, the Vessel to and from the water;
- (b) depart from designated roadways or interfere with Natural Park Features in order to launch a Vessel;
- (c) operate a Vessel within an area designated by signs or buoys for swimming or along waterfront in a way that will endanger, disturb or otherwise interfere with the free use of the water for the purpose of bathing and swimming except in the immediate vicinity of a boat launch and for the purpose of approaching or moving away from the boat launch on a line perpendicular to shore;
- (d) impede or endanger Pedestrian movement along a beach or foreshore;
- (e) Moor a Vessel to dry land, other than from a designated boat beach area, or a buoy, anchor or sign; or
- (f) store a Vessel on land or water.

14.2 No person shall, in a Park:

- (a) leave a Vessel on land or water except during Park Hours;
- (b) Moor a Vessel overnight; or
- (c) Moor a Vessel to a boat launch except temporarily for the purpose of and while launching or removing that vessel.

14.3 No person shall, in a Park, at any time, launch or caused to be launched or allow or permit to be launched onto the waters of any body of water, from any Park, any motorized boat with an exhaust which is unmuffled or is not vented under the surface of the water.

14.4 Any Vessel Moored in violation of this bylaw may be removed and impounded, and the owner of the Vessel shall pay the cost of removal and impoundment before the Vessel is returned to the owner.

## 15.0 PENALTIES

15.1 Any person who contravenes a provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and;

- (a) on summary conviction is liable to a fine of not less than \$500 and not more than \$50,000;
- (b) on conviction of a ticket offence under the City of Penticton Ticket Information Bylaw No. 2012- 5021, is liable for the fine imposed under that bylaw; and
- (c) subject to penalties imposed by way of a bylaw offence notice or as otherwise permitted by law.

15.2 Each day during which violation of this bylaw is continued shall be deemed to constitute a new and separate offence.

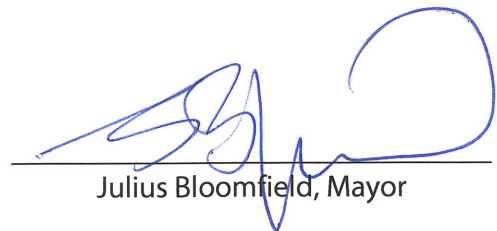
## 16.0 GENERAL

16.1 If any provision of this bylaw is held to be beyond the power of the City or otherwise invalid by any court of competent jurisdiction, then the provision may be severed from the bylaw without affecting the validity of the remainder of the bylaw.

## 17.0 REPEAL

17.1 "The City of Penticton Park Regulation By-Law, 1974" and the amendments thereto are hereby repealed upon the adoption of this Bylaw.

READ A FIRST time this	4 day of	June, 2025
READ A SECOND time this	4 day of	June, 2025
READ A THIRD time this	4 day of	June, 2025
ADOPTED this	10 day of	June, 2025

  
 Julius Bloomfield, Mayor

  
 Angie Collison, Corporate Officer