



**By-law No. 1992-014**

“A By-law to Regulate and Control the Management of all Existing Parks Belonging to the Corporation of the City of Owen Sound”

**Originally Passed and Enacted January 27, 1992**

<b>Amended By By-law:</b>	<b>Passed On:</b>
1992-192	November 23, 1992
1992-206	December 21, 1992
1994-029	March 7, 1994
1994-126	September 19, 1994
1994-133	October 3, 1994
1996-165	October 28, 1996
1997-176	November 24, 1997
2003-148	September 29, 2003

**Consolidated Version**  
Revised and Verified February 12, 2014

*Consolidated for Convenience Only*

This is a consolidation copy of a City of Owen Sound By-law for convenience and information. While every effort is made to ensure the accuracies of these by-laws, they are not official versions or legal documents. The original by-laws should be consulted for all interpretations and applications on this subject. For more information or original signed copies of by-laws please contact the City Clerk’s Department.

**BY-LAW NO. 1992 - 014**

**THE CORPORATION OF THE CITY OF OWEN SOUND**

**A BY-LAW TO REGULATE AND CONTROL THE  
MANAGEMENT OF ALL EXISTING PARKS BELONGING  
TO THE CORPORATION OF THE CITY OF OWEN SOUND**

WHEREAS City Council is desirous of establishing certain regulations concerning the maintenance and control of all parks belonging to or under agreement with The Corporation of the City of Owen Sound pursuant to the Public Parks Act.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

**DEFINITIONS**

1. For the purpose of this By-law:

*Amended by By-law 1992-192*

1.1.1 **Camping** shall mean to establish temporary living quarters.

1.1 **City** shall mean The Corporation of the City of Owen Sound.

1.2 **Parks** shall mean all land and appurtenances thereto, including Greenwood Cemetery, under the management of the City.

1.3 **Vehicle** includes a motor vehicle, including an automobile, motorcycle, motorized snow vehicle, and any other vehicle propelled or driven otherwise than by muscular power, and a trailer, traction engine, farm tractor, road-building machine, and any other vehicle drawn, propelled or driven by any kind of power including muscular power.

1.4 **Parking Space** means that part of any drive, roadway, or area designated by the City for the parking of vehicles marked with signs so designated.

1.5 **Roadway or Drive** means that portion of a park which is set aside for the use of vehicular traffic by the City but does not include service lanes.

1.6 **Person** includes any body corporate or politic, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

*Amended by By-law 1992-192*

1.7 **Motorized Snow Vehicle** shall include any vehicle *designed to travel* on snow and propelled or driven by any kind of power, excluding muscular power.

1.8 **Commercial Motor Vehicle** means any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.

1.9 **Road Closing** shall mean the shutting off of a roadway or drive by a barricade or other device by and upon the authority of the City.

**APPLICATION OF THE BY-LAW**

2. This By-law applies to all recreational and parkland premises under the control and management of the City.

**GENERAL PROVISIONS**

3. No person shall, within the limits of the parks:

3.1 Walk or ride any horse except upon the roadways, trails or paths designated by the City for such use.

- 3.2 Drive, park or leave standing, any vehicle, except authorized emergency vehicles, elsewhere than on the roadways or drives or other place designated for the purpose.
- 3.3 Park or stand any vehicle in such a manner as to obstruct traffic or prohibit pedestrian travel.

*Amended by By-law 1996-165*

- 3.4 *Sell or keep for sale, any goods, wares, merchandise, confectionery, tobacco or refreshments of any kind unless authorized by the Parks, Recreation and Culture Director and after having obtained all necessary licences.*
- 3.5 Wash, paint, repair, service or lubricate any vehicle.
- 3.6 Drive a vehicle on any roadway or drive designated as a service lane, except with the authority of the City.
- 3.7 Drive or operate any commercial vehicle other than an authorized emergency vehicle, or a vehicle making legitimate deliveries to Park premises.
- 3.8 Park or stand any vehicle unattended except in a park in which the operator and/or occupants of the said vehicle is or are visiting.
- 3.9 Park or stand any vehicle in any park other than so designated as a parking or standing area. All vehicles so parked or standing must be parked or standing in conformity with the line or markings designated therefor. Vehicles parked in contravention of this section may be towed away by the City or its agent at the owner's expense.
- 3.10 Drive any vehicle upon a roadway or drive while such roadway or drive is closed.

*Amended by By-law 1994-029*

- 3.11 *Operate any vehicle at a speed in excess of 20 km./hour or as posted or so as to interfere with, or endanger a person in the park, notwithstanding, no person shall operate any vehicle in excess of the limits prescribed in By-law No. 1989-62, as amended, being 'A By-law to Provide for the Regulation of Traffic.'*

*Amended by By-law 1997-176*

- 3.12 *Drive or operate any motorized snow vehicle in any park or in any area of any park, save and except those parks or areas of parks so designated by the City as on the attached Schedule 'B'.*

*Amended by By-law 1997-176*

- 3.13 *The driver of a motorized snow vehicle, not being the owner is liable to any penalty provided under this By-law and the owner of the motorized snow vehicle is also liable to such penalty, unless at the time the offence was committed, the motorized snow vehicle was in the possession of a person other than the owner or his chauffeur without the owner's consent.*

4. It shall be lawful for any police officer, constable, caretaker, or any persons duly authorized by the City, to exclude from the Parks, any disorderly or drunken person, and to remove therefrom any person or persons violating any regulation or By-law of the City for the care and maintenance of the said Parks, or any person or persons exhibiting disorderly conduct therein.

- 4.1 No person shall wilfully break, deface, or otherwise damage any of the gates, locks, bolts, or fences of the City, or any of the seats or benches, buildings or other property or equipment placed by the City in the parks for the accommodation of the public or any other City property contained in the said parks.

*Amended by By-law 1992-192*

- 4.2 No person shall deposit *litter* or strew any refuse or waste paper, wrapper, container or garbage anywhere within the said parks, or into the waters abutting on park property or waters within any park property, except in the receptacles provided for that purpose.
- 4.3 No person shall walk on the grass or sward of the said parks when warned by signs not to do so, nor step on any flower or shrubbery bed.

- 4.4 No person shall break, peel the bark off, cut, deface, place signs or hand bills on or otherwise damage or destroy or remove any tree in the parks.
- 4.5 No person shall destroy, injure or remove any of the shrubs, flowers, flowering plants, roots, bulbs, or grass growing or being in the said parks.
- 4.6 No person shall wilfully suffer or permit any horse, mule, ass, goat, cat, dog, cattle, swine, geese, poultry, or any domestic animal of any kind of which he or she is the owner or has the custody, or over which he or she commonly has control, to go at large in the said parks, or to do any damage therein or thereto.
- 4.7 No person shall play at any organized games within the said parks except where provision has been made by the City for the playing of such games, and in places where the playing of games is approved by the City, and all schedules for games to be played on park property must be submitted to the City for approval before such games are played.
- 4.8 No person shall play or practice golf in any park.
- 4.9 That after a period of substantial rainfall, the decision to use or postpone the use of a field be left to the discretion of the Superintendent of Parks or his or her representative and that the spokesperson for each league be required to contact the Parks and Recreation Department before 4:30 p.m. on weekdays for instruction as to the playability of the field. On Saturday, Sunday and holidays, the groundskeeper is to be contacted directly and who will have the authority to permit or not permit games to be played.
- 4.10 The City may at any time, when it is deemed advisable to do so, close to the public, any park or any portion of any park, or any building in any park, and may require the payment of a fee by any person desiring to enter such park or building, and no person shall enter any park or any portion of any park or any building in any park so closed, without first paying the fee for admission to a person duly authorized by the city for the collection of such fee. The amount of such fee shall be fixed from time to time by the City.
- 4.11 The City may designate any time, such park or facility for events described as a carnival, circus, concert, public gatherings of any kind, and may require the payment of a fee by any person or organization requesting the use of such park or facility. Application in writing must be presented to the City which may grant approval, before such an event takes place. The amount of the fee shall be fixed from time to time by the City.
- 4.12 All lands belonging to or under the care of the City shall be and are hereby declared to be a sanctuary for wild birds or all kinds of wild animals, excepting vermin, and no person shall throw any missile or in any way molest or cause them to be molested.
- 4.13 No person shall camp on any park property without first having obtained the authority of the City to do so. The rules and regulations for the designated Family Camping areas at Harrison Park and Kelso Beach, attached to and marked as Schedule "A" to this By-law are hereby declared to be a part of this By-law.
- 4.14 No person shall carry any gun, firearm, air gun, spring gun or a bow and arrow or crossbow which discharges any metal shot, metal pellet, or metal dart or projectile or discharge same on park property, save and except persons lawfully authorized to do so and save and except for ceremonial occasions approved by the City.
- 4.15 No person shall kindle any bonfire without first receiving authorization from the City.

*Amended by By-law 1992-206*

- 4.16 *No unauthorized person shall be on or perform any activity on an outdoor city recreational ice surface at any time while the outdoor ice surface is being service and/or maintained.*

*Amended by By-law 1994-126 and By-law 1994-133*

- 4.17 *No person shall fish or clean fish on the floating dock or dock landing located on the east side of Marsh Street (1st Avenue East) opposite Lots 5 and 6 located on the west side of Water Street (2nd Avenue East).*

*Amended by By-law 1994-126 and By-law 1994-133*

4.18 *No person shall dock a boat for more than two consecutive hours within any twenty-four hour period at the floating dock located on the east side of Marsh Street (1st Avenue East) opposite Lots 5 and 6 located on the west side of Water Street (2nd Avenue East).*

## **ENFORCEMENT**

*Amended by By-law 1994-029*

5. *Any person who contravenes the provisions of this By-law is guilty of an offence and upon conviction therefor is subject to the penalty set out in the Provincial Offences Act.*

5.1 Upon the default of any person to do anything required to be done under the provisions of this By-law, or to repair any damage caused by any action prohibited by this By-law the City may, upon giving ten days notice in writing to the said person, do the work required to be done, or repair damages caused by the said person, at the expense of the said person. All expenses incurred by the City in doing the said works, including but without limiting the generality of the foregoing materials, labour, equipment, administration and legal expenses shall be paid by the said person and may be recovered by action in any competent court.

## **SEVERABILITY**

6. If for any reason any section, clause or provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part which was declared to be invalid.

## **BY-LAWS REPEALED**

7. Where the provisions of this By-law are inconsistent with the provisions of By-law No. 2567 of the City, being 'A By-law to Provide for the Control, Regulation and Management of Greenwood Cemetery', the provisions of the said By-law No. 2567 shall apply. This By-law shall be enforced by the Enforcement Officers appointed by City Council and the Officers of the Owen Sound Police Services.

## **HEADINGS NOT PART OF THIS BY-LAW**

8. The headings in the body of this By-law form no part of the By-law but are inserted for convenience of reference only.

## **EFFECTIVE DATE OF BY-LAW**

9. This By-law shall come into full force and effect upon the final passing thereof.

PASSED this 27th day of January, 1992.

1st reading January 27, 1992

2nd reading January 27, 1992

3rd reading January 27, 1992

Signature on File

Mayor

Signature on File

Clerk

**SCHEDULE "A" TO BY-LAW NO. 1992 - 014**

**HARRISON PARK AND KELSO BEACH FAMILY CAMPING**

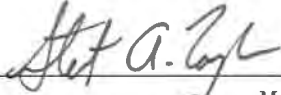
**CAMPGROUND RULES**


1. All campers must register.
2. Checkout time is 2:00 p.m.
3. Please obey signs in park and observe speed limit.
4. Only one camping unit per campsite.
5. Pool rules must be obeyed.
6. Pets welcome BUT must be leashed.
7. Motorcycles and trail bikes allowed in park for transportation purposes - no joy riding.
8. Campers are responsible for any damage caused.
9. Do not move to another campsite without permission.
10. Roudiness and drunkenness are prohibited.
11. Do not use grill on picnic table, use ground.
12. Restrooms and showers are provided for your convenience.
13. Please supervise your children.
14. Cleaning hours for restrooms are posted.
15. Do not dump "gray water" on the ground or in any water course, use the dumping station.
16. Portable toilets - dump at station, not in toilets.
17. Please place garbage in containers provided.
18. Please observe quiet hours - 11:00 p.m. to 8:00 a.m.
19. Visitors must register.
20. Fuel wood is supplied at nominal fee - please ask staff for assistance.
21. Management reserves the right to evict anyone from the park for detrimental conduct or failing to observe the rules and regulations.

# BY-LAW 1992-14

## Schedule B

This is Schedule B to By-law 1992-14  
passed this 24th day of November 1997.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

NORTH 

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