

District of Taylor
Peace Island Park Bylaw No. 807, 2016
A Bylaw to Provide for the Maintenance, Improvements, Operations, Control and use of
Peace Island Park

WHEREAS, the Council of the District of Taylor has control of lands in South Taylor through a free Crown Grant and a long term lease with BC Hydro;

AND WHEREAS, Schedule "A" is a general reference map of lands commonly known and referred to herein as "Peace Island Park", located South of the Peace River and West of Highway 97;

AND WHEREAS, the Council of the District of Taylor may by bylaw make rules and regulations governing the management, maintenance, improvements, operation, control and use of Peace Island Park;

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

1. TITLE

1.1 This bylaw may be cited as the "Peace Island Park Bylaw No. 807, 2016."

2. ADMINISTRATIVE PROVISIONS

2.1 This bylaw repeals District of Taylor Peace Island Park Bylaw No. 426, 1991 and any amendments thereto.

3. INTERPRETATION

3.1 Any enactment referred to herein is a reference to an enactment of British Columbia and any regulations hereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the Council of the District of Taylor, as amended, revised, consolidated or replaced from time to time.

3.2 The headings given to the sections and paragraphs in this bylaw are for convenience of reference only. They do not form part of this bylaw and will not be used in the interpretation of this bylaw.

3.3 Wherever the singular or masculine is used in this Bylaw, the same will be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.



4. DEFINITIONS

“Animal” means mammal, reptile, amphibian, fish, marine animal or bird;

“Beach” means any area, including any swimming area, abutting the shore of the Peace River;

“Body of Water” means the Peace River and any other stream or natural body of water and any reservoir, receptacle for water or other artificial body of water within or immediately adjacent to the Park;

“Bylaw Enforcement Officer” means the employment position established by Council and those persons appointed by Council from time to time to those positions;

“Camping Permit” means a permit to occupy space as issued by the Park Caretaker under Section 6 of this bylaw;

“Camping Unit” means tent, truck camper, trailer, motor home, or any vehicle constructed, intended or equipped to be used as a temporary living or sleeping quarters by visitors to the park;

“Campsite” means an area prepared and designated by the Park Caretaker for the placing of a camping unit;

“Council” means the Council of the District of Taylor;

“Contaminants” means any waste, injurious or offensive matter or substance, including without limitation any substance that is capable of:

- a. Injuring any property, life form or the health or safety of a person;
- b. Causing material physical discomfort to a person; or
- c. Damaging the environment;

“District” means the Corporation of the District of Taylor;

“Island” means the camping area identified as The Island in Schedule “A” of this Bylaw.

“Natural Park Feature” means any tree, shrub, herb, flower, grass, turf, plant or vegetation of any kind as well as any soil, sand, silt, gravel, rock, mineral, wood, fallen timber or other park material within the park;

“Organized Sport” means any game or sport which is played by two or more persons who play together regularly as a team in a league or association;

“Park” means Peace Island Park;

“Park Caretaker” means the position established by Council with the responsibility of operating the Park in accordance with governing legislation, bylaws and agreements;

“Park Property” means any real or personal property within the park, including without limitation any building, structure, wall, fence, sign, seat, bench, vase, fountain or ornament of any kind within the park;



“Parks and Facilities Director” means the employment position established by Council and those persons appointed by Council from time to time to those positions;

“Refuse” means all refuse, garbage or other waste of any kind including without limitation any food remains, containers, packages, bottles, cans or parts of them;

“Roadway” means any road, street, lane or right of way within the Park designed or intended for use by the general public for the passage of vehicles including any passageway, campsite or parking area to which the public, for the purpose of the parking of vehicles, has access or is invited;

“Special Event” means any event or activity conducted within the Park which attracts or is intended to attract participants or spectators:

“Special Use Permit” means a permit to host a Special Event or to operate a concession, issued by the Park Caretaker or Parks and Facilities Director under Section 9 of this bylaw;

“Vehicle” means a device in, on or by which a person or thing is or may be transported or drawn on a roadway and which device is designed to be self-propelled and not moved by human power but does not include a motorized wheelchair.

5. AUTHORITY OVER MAINTENANCE AND ENFORCEMENT

5.1 The Park Caretaker or Parks and Facilities Director may provide for the maintenance, operations and use of the Park in accordance with the terms and conditions set out in this Bylaw.

5.2 Except when closed at the direction of the District of Taylor Chief Administrative Officer (CAO) or the Parks and Facilities Director, the Park shall be available for public use on a year round basis.

5.3 The Bylaw Enforcement Officer, Parks and Facilities Director and the Park Caretaker or Peace Officer may enforce this Bylaw. Where the Park Caretaker on reasonable grounds is of the opinion that a person within the Park is contravening any provisions of this Bylaw, a Special Use Permit or Camping Permit or any enactment, he/she may enforce this Bylaw by requiring that the person:

- a. Give to the Park Caretaker his correct name and address and produce to the Park Caretaker such identification as may be required to verify his name and address;
- b. Cease and desist from contravening the Bylaw, the Special Use Permit or Camping Permit or enactment; and
- c. Forthwith vacate the Park; and

By reporting any such activities to the Bylaw Enforcement Officer, Parks and Facilities Director or RCMP if necessary, but the Park Caretaker shall not attempt to apprehend or restrain any person carrying on such activities.



5.4 Everyone who fails to comply with a requirement of the Park Caretaker under Section 5.3 commits an offense under this Bylaw.

6. CAMPING

6.1 No person shall camp, erect or place a camping unit in the Park unless the camping unit is situated at a campsite and a valid and subsisting Camping Permit has been obtained under this Bylaw for that camping unit;

a. In order to obtain a Camping Permit, there must be at least (1) one person of Provincial legal age supervising the camp site for the entire length the permit is issued.

6.2 Every person owning or having the care, custody or control of a camping unit shall pay to the Park Caretaker a camping fee per night in accordance with the current *District of Taylor Fees and Charges Bylaw* for the camping unit.

6.3 The Park Caretaker shall collect camping fees. Upon receipt of the prescribed fee, the Park Caretaker shall issue a Camping Permit for the occupancy of the campsite.

6.4 The Park Caretaker shall determine the number of camping units per camping site, keeping access and safety at the fore front.

6.5 A Camping Permit entitles any person registered as a member of the party in respect of whom the permit was issued to occupy the designated campsite from 11:00 a.m. of the day the permit was issued until 11:00 a.m. the day on which the permit expires.

6.6 Persons who are occupants and or guests of an Island campsite shall not be permitted to access by vehicle during the hours of 11:00 p.m. and 7:00 a.m. as vehicle activity is restricted on the Island between these hours. The Island gate will restrict access to emergency situations only during the specified hours.

6.7 A Camping Permit shall indicate:

- a. The name of the persons to whom the camping permit is issued;
- b. The number of persons in the party;
- c. The camp site assigned;
- d. The description of the camping unit;
- e. The total fee paid;
- f. The vehicle licence number, if applicable;
- g. The number of nights the party authorized by the Camping Permit shall be permitted to camp in the Park; and
- h. The expiry date of the permit.

6.8 All persons occupying a campsite shall keep all equipment and camping units within the boundaries of the campsite set by the Park Caretaker.



- 6.9 No persons shall camp in the same camp site, in the Park for more than (14) fourteen consecutive days unless the Park Caretaker obtains written approval for an extension from the Parks and Facilities Director.

7. PRESERVATION OF THE PARK

- 7.1 Except as otherwise authorized by this Bylaw, no person shall conduct or engage in any of the following activities in the Park:

- a. Cut, trim, dig up, excavate, deface, remove, damage or injure any natural park features;
- b. Remove, destroy, deface or damage any park property, including any:
 - a. Notices, rules or regulations posted or affixed to anything by order or permission of Council; and
 - b. Works, pipes or other fixtures;
- c. Foul or pollute or otherwise introduce any contaminants or refuse into any body of water;
- d. Deposit any contaminants or refuse anywhere in the Park except in receptacles provided for such purposes;
- e. Climb, walk, lie or sit on any park property not intended for such use;
- f. Cross, travel on, use or walk on any grass or any other area where signs have been posted forbidding such use;
- g. Let off, turn on or discharge any water so that the water runs to waste from or out of any tap, pipe, hose, hydrant or other fixture or from any body of water;
- h. Throw, discard or place upon the ground any lighted match, cigar, cigarette or other burning substance. Camp fires must not be left unattended at any time;
- i. Make, set, light, or keep lit a fire, including without limitation in or upon any beach except that such fires are permitted in areas specifically designated for such purpose by Council;
- j. Drive or operate any vehicle anywhere, including without limitation along grass area, flower bed, path or promenade, other than on roadways designated for such purpose;
- k. Impede, obstruct or interfere with the passage of any person or vehicle lawfully using a roadway;
- l. Discharge any firearm of any kind, except a Peace Officer or any officer as defined under the *Wildlife Act*, acting in the course of his duties;
- m. Discharge, explode or set off any fireworks or other explosive device.

8. EXCEPTION FOR MAINTENANCE PURPOSES

- 8.1 Notwithstanding anything in this Bylaw, the Park Caretaker and any other authorized servants, employees, agents or contractors of the District may undertake any activities prohibited in Sections 7.1 and 9.1 of this bylaw for the purpose of maintaining, upgrading or improving the Park.



9. ACTIVITIES AND EVENTS

9.1 Except as otherwise authorized by this Bylaw, no person shall conduct or engage in any of the following activities anywhere in the Park:

- a. Sell, expose or display for sale or exchange or barter any goods or materials, including food and refreshments;
- b. Conduct any business, or offer any service for a fee;
- c. Post, paint, affix, distribute, deliver or publish any notice, advertisement, sign, placard or hand-bill of any kind whatsoever;
- d. Operate or station any commercial vehicle or any other vehicle displaying advertising or equipped with a public address system for the purpose of advertising, promoting, demonstrating or attracting attention;
- e. Organize, conduct or participate in any special event or organized sport;
- f. Organize, conduct or carry on any public address or demonstration;
- g. Erect, construct or build or cause to be erected, constructed or built any structure, (other than a camping unit) building, shelter or pavilion; or
- h. Campers cannot sell, rent or give away any camp site registered to them. If the registered user is unable to use their assigned site, notification must be given to the Park Caretaker and the site will be reassigned by the Park Caretaker.

9.2 Any person may conduct, hold or participate in any of the activities set out in Section 9.1 where such person is:

- a. The holder of a valid and subsisting Special Use Permit, issued by the Park Caretaker or Parks and Facilities Director under this Bylaw; or
- b. A participant in an activity for which a valid and subsisting Special Use Permit has been issued by the Park Caretaker or Parks and Facilities Director to another person.

9.3 Any person, organization or group of persons who wishes to conduct, hold or organize an activity set out in Section 9.1 shall:

- a. Apply to the Park Caretaker or Parks and Facilities Director for a Special Use Permit at least (14) fourteen days prior to the activity and may, where applicable, reserve a portion of the Park for that activity;
- b. Pay the appropriate fee, where applicable, in accordance with the prescribed fees set out in current *District of Taylor Fees and Charges Bylaw*; and
- c. Pay the damage deposit when required by the Park Caretaker or Parks and Facilities Director.

9.4 The Park Caretaker or Parks and Facilities Director may require a damage deposit not exceeding the value of \$2,000.00 as a condition of the issuance of any Special Use Permit. Where the Park Caretaker determines that there has been damage to the Park property or that the area reserved for the activity has not been cleaned and restored, the damage deposit may

be forfeited by the applicant and may be used by the District to effect the necessary repairs or clean up.

- 9.5 The Park Caretaker or Parks and Facilities Director shall issue a Special Use Permit for the purpose of authorizing the conduct of activities listed in Section 9.1 where the applicant satisfies all of the requirements of this Bylaw UNLESS:
- a. The Park Caretaker or Parks and Facilities Director considers the activity to be dangerous, disturbing to other public users of the park, or undesirable for health or safety reasons;
 - b. The activity conflicts with a permit already granted to another person, group or organization; or
 - c. The applicant has contravened any provisions of this Bylaw or any pervious permit issued to him under this Bylaw,

The Park Caretaker or Parks and Facilities Director may refuse issuance of the permit.

9.6 A Special Use Permit shall indicate:

- a. The name of the persons to whom the park permit is issued;
- b. The name(s) of the person(s) under whose supervision the activity is being conducted;
- c. The nature of the activity;
- d. The name of the organization, club or association (if any) on whose behalf the activity is being conducted;
- e. The location, date and time of the activity;
- f. The area of the Park designated and reserved for the activity;
- g. The fee charged, where applicable
- h. The damage deposit required, where applicable;
- i. The terms and conditions under which the activity is to be conducted; and
- j. Provide all documentation associated with the event including but not limited to insurance, where applicable.

9.7 Every person receiving a Special Use Permit under this Bylaw shall at all times be subject to the terms and conditions thereby imposed.

9.8 The Park Caretaker and Parks and Facilities Director may amend, suspend or revoke any issued Special Use Permit for any violation of or non-compliance with the terms and conditions thereof or for any violation or non-compliance with this Bylaw.

9.9 If any person wishes to appeal any decision of the Park Caretaker or Parks and Facilities Director regarding the granting, refusal, amendment, suspension or revocation of a Special Use Permit, a written appeal may be made to Council. The Council may confirm the decision of the Park Caretaker or Parks and Facilities Director or may vary that decision, PROVIDED THAT the applicant is entitled to a permit to the extent that the application satisfies every requirement of this Bylaw.



- 9.10 The holder of a Special Use Permit issued by the Park Caretaker or Parks and Facilities Director is solely responsible for the conduct of any activity authorized thereunder for the conduct of any activity of its officers, servants, agents, employees and others and accepts or assumes any responsibility for any claims, proceeding, actions, costs, expenses, damage to persons or to property arising out of or in connection with the holding of the activity for which the park permit was issued.
- 9.11 The holder of the Special Use Permit must, if applicable, provide proof of liability insurance naming the District of Taylor and the current Park Caretaker as additionally insured. If a Special Use Permit has been issued by the Park Caretaker or Parks and Facilities Director, proof of Food Safe and a Health Permit as well as all Northern Health or Fire Safety required documents must be provided.

10. PUBLIC CONDUCT

10.1 No person in any park or trail shall:

- a. Conduct himself in a disorderly, dangerous or offensive manner or make or cause noise and sounds or engage in any activity which, in the opinion of the Park Caretaker, disturbs or tends to disturb the peace, quiet, enjoyment or comfort of persons in the vicinity and every person shall cease and desist such activity between the hours of 11:00 p.m. and 7:00 a.m. the following day;
- b. Molest or injure any other person;
- c. Camp or sleep in the Park with or without a tent or other shelter of any kind, including a vehicle, unless authorized by a valid and subsisting Camping Permit and then only in a campsite, or except where such person is the Park Caretaker or his private house guest in the caretaker residence or has written approval of the Parks and Facilities Director;
- d. Ride a bicycle in any areas designated as sensitive by the Park Caretaker;
- e. Violate any Bylaw, regulation, rule, notice or command of the District or any person acting on its behalf, including without limitation the Park Caretaker; or
- f. Disobey, hinder or interfere with the Park Caretaker or other authorized servants, employees, agents, contractors or staff of the District in the exercise of the powers and authorities vested in them under this Bylaw.

10.2 No person other than:

- a. A person who is an authorized servant, employee, agent or contractor of the District;
- b. A person who has a concession or lease granted by the District for a park purpose;
- c. The Park Caretaker occupying the caretaker residence and his/her private guests;
- d. A person conducting, holding, participating or attending an activity or event authorized by a valid and subsisting Special Use Permit; or
- e. A person camping in the Park pursuant to a valid and subsisting camping permit, Shall enter upon or otherwise remain within the Park for any purpose whatsoever between the hours of 11:00 p.m. and 7:00 a.m. of the following day.



11. ANIMALS IN THE PARK

11.1 No person shall in anywhere in the Park:

- a. Molest, disturb, frighten or injure any animal; or
- b. Abandon any animal.

11.2 Every person owning or having the care, custody or control of any animal shall prevent the animal from:

- a. Being anywhere in the Park unless the animal is tethered and under the direct and continuous charge of a person who is competent to control it;
- b. Swimming or entering in any body of water or being upon any ice in case such body of water is frozen; or
- c. Causing any annoyance or disturbance or molesting, disturbing, frightening or injuring any persons or any other animal in the park.

11.3 The Park Caretaker may require any person owning or having the care, custody or control of an animal in any park or trail to remove such animal from the park or trail.

12. MOTORIZED TRAFFIC

12.1 No person shall drive or operate a vehicle within the Park unless that person and the vehicle have been validly licenced and registered and are in conformity with all applicable enactments.

- a. Off Road vehicles are to be used in designated areas only.

12.2 Unless otherwise posted, no person shall operate a vehicle on a roadway in the Park at a speed in excess of (10) ten kilometers per hour.

13. SEVERABILITY

13.1 If any section, subsection or clause of this Bylaw is declared or held to be invalid by a court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been enacted and adopted without the invalid and severed section, subsection or clause.

14. PENALTIES

14.1 Every person who contravenes a provision of this Bylaw is guilty of an offence and upon summary conviction is liable for a fine not exceeding \$2,000.00 and the cost of prosecution.



15. SCHEDULES

15.1 Schedule "A" is attached hereto and forms part of this Bylaw.

16. REPEAL

16.1 This bylaw repeals "District of Taylor Peace Island Park Bylaw No. 426, 1991" and any amendments thereto.

17. EFFECTIVE DATE

17.1 This bylaw comes into force and takes effect on the date of adoption.

18. CITATION

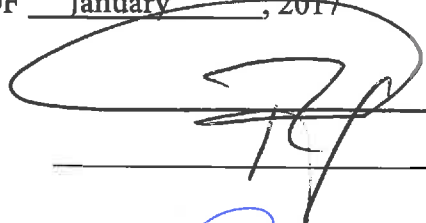
18.1 This bylaw is cited as "Peace Island Park Bylaw No. 807, 2016."

READ A FIRST TIME THIS 3rd DAY OF January, 2017

READ A SECOND TIME THIS 3rd DAY OF January, 2017

READ A THIRD TIME THIS 3rd DAY OF January, 2017

ADOPTED THIS 16th DAY OF January, 2017



MAYOR



CORPORATE OFFICER

I hereby certify that this is a true copy of
Bylaw No. 807, 2016 of the District of
Taylor, cited as "Peace Island Park
Bylaw No. 807, 2016."



CORPORATE OFFICER



Peace Island Park Bylaw No. 807, 2016

Schedule "A"

General reference map of lands commonly known and referred to as "Peace Island Park", located South of the Peace River and West of Highway 97.

Part I & II





Google earth

Image © 2016 DigitalGlobe
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Imagery Date: 6/26/2015 56°07'56.00" N 120°40'45.58" W elev. 407 m eyes alt 1.84 km



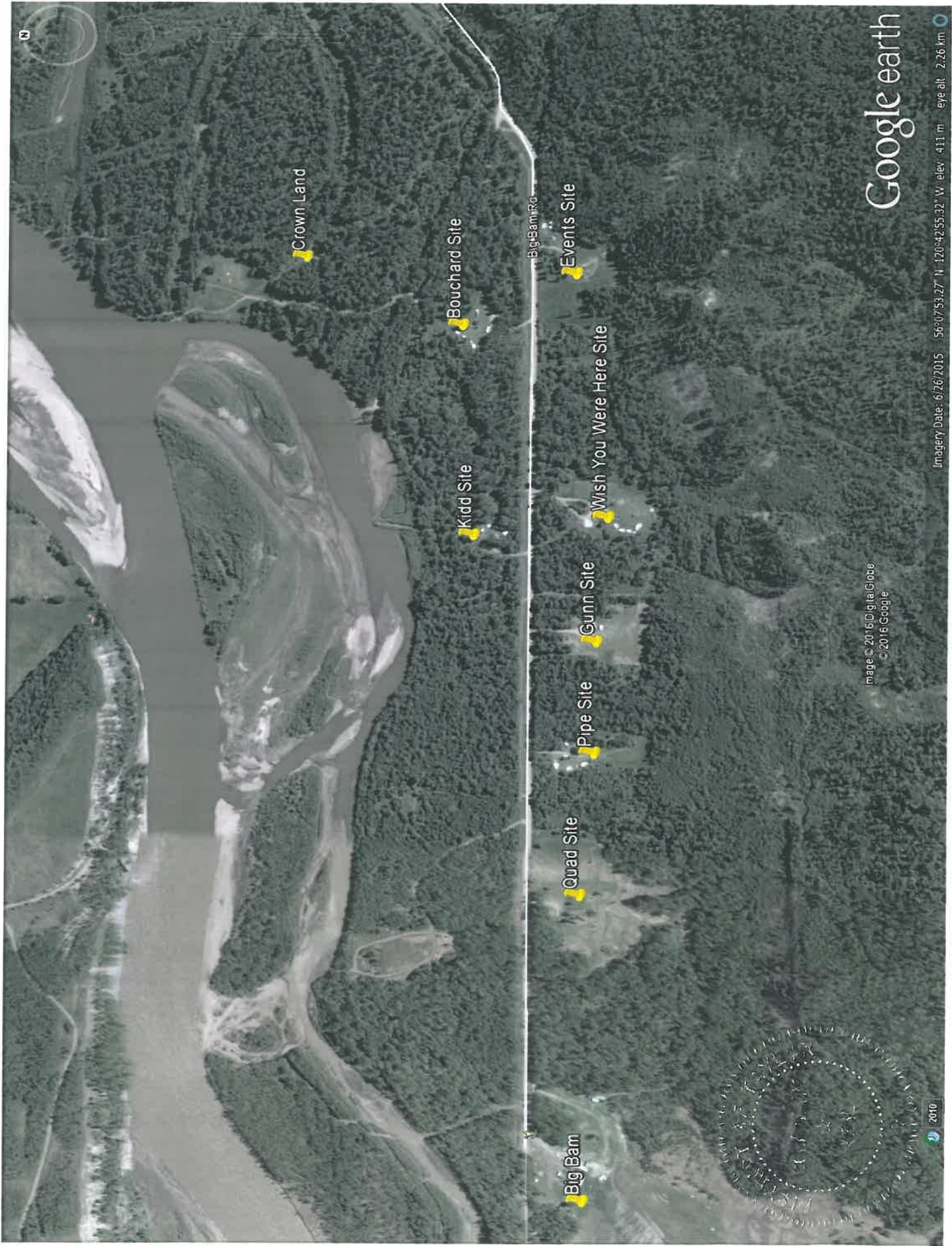


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Google earth

Imagery Date: 6/26/2015 56°07'53.27" N 120°42'55.32" W elev. 411 m eye alt. 2.26 km

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