

FRASER VALLEY REGIONAL DISTRICT

BYLAW NO. 1500, 2018

A bylaw to establish regulations, fees and other charges for Regional Parks, Community Parks, Linear Parks, Recreation Areas and Trails

WHEREAS the Fraser Valley Regional District Board of Directors (the “Board”) has deemed it advisable to establish certain regulations, fees and other charges for its regional parks, community parks, linear parks, trails and other recreational areas;

THEREFORE the Board enacts as follows:

1. CITATION

This bylaw may be officially cited as *Fraser Valley Regional District Parks Regulations, Fees and Other Charges Establishment Bylaw No. 1500, 2018*.

2. DEFINITIONS

In this bylaw the following definitions apply:

“Angle” means to catch or attempt to catch fish with a net, or hook and line, or spear with or without a rod;

“Authorized Personnel” means persons approved or assigned by the Fraser Valley Regional District (“FVRD”), including:

- a) employees of the FVRD;
- b) persons acting on behalf of the FVRD under contract or other agreement; and
- c) members of the Royal Canadian Mounted Police (“RCMP”) and municipal police forces;

“Camp” means to occupy a campsite, to set up a tent or other shelter, or to remain overnight with or without shelter;

“Collar” means a chain, rope, cord or strap affixed to the chest or around the neck of an animal and does not include a Leash;

“Contaminant” means any substance that is capable of:

- a) injuring the health and safety of a person;
- b) injuring property or any life form;
- c) causing material physical discomfort to a person; or
- d) damaging the environment;

“Disturbance” means any noise or sound, including the playing of music, that disturbs, or is likely to disturb the peace, enjoyment or comfort of persons or wildlife in the vicinity and includes actions or behavior that put a person in danger or inhibits another person’s lawful use or quiet enjoyment of a Park;

“Electronic Smoking Device” means a vaporizer or inhalant type device or component of such a device that contains a power source and heating element designed to heat a substance and provide vapour to be inhaled by the use of the device directly through the mouth or nose;

“Emergency Personnel” means those persons working on behalf of the British Columbia Ambulance Service, British Columbia Search and Rescue Association, the Department of National Defense, a fire department and/or the British Columbia Provincial Emergency Program and also includes members of RCMP and members of municipal police forces;

“Facility” means all buildings, structures, equipment or any other installations and possessions owned by or in custody of the FVRD and its Authorized Personnel;

“Group” means over 30 persons;

“Hunt” means to shoot at, attract, search for, chase, pursue, follow after or in the trail of, stalk or lie in wait for wildlife, or to attempt to do any of those things, whether or not the wildlife is then or subsequently wounded, killed or captured:

- a) with the intention to capture the wildlife; or
- b) while in possession of a firearm or other weapon;

“Leash” means a chain, rope, cord or strap by which an animal is restrained, lead or controlled;

“Litter” means:

- a) garbage, refuse, rubbish, waste materials or trash of any kind, including, but not limited to, containers, packages, bottles, cans or any part thereof; or
- b) any abandoned or discarded article, product or item of manufacture;

“Motor Vehicle” means a motorized device by which a person or thing may be transported;

“Mobility Aid” means a device including an electric wheelchair or scooter, the sole purpose of which is to facilitate the transport of a person with a physical disability;

“Natural Park Feature” means a tree, shrub, herb, flower, grass, turf or other plant and all soil, sand, silt, gravel, rock, mineral, wood, fallen timber, or other natural resource in a Park;

“On-Site Refuse” means all garbage, food remains, refuse, and other waste generated by persons while they are in a Park;

“Park” means any regional park, community park, linear park, trail, recreational area or any other lands used for outdoor recreational purposes which are managed and operated under

the jurisdiction or administration of the FVRD, except for where the above noted fall under other regulatory bylaws or other enactments or where they are excluded under the Area of Application section of this bylaw;

"Parks Manager" means the person appointed as the Manager of Parks for the FVRD and includes any person lawfully acting on their behalf;

"Parking Pass" means a pass issued under this bylaw authorizing a person to enter a Park in a Motor vehicle, launch a Vessel, or park a Motor vehicle in a Park; and includes, but is not limited to, seasonal, day use and overnight passes;

"Park Permit" means a permit issued under this bylaw authorizing an event or activity in a Park;

"Posted Notice" means a sign or written notice affixed to a notice board or sign post by Authorized Personnel in a Park;

"Remote-Controlled Device" means an electronic device operated indirectly or remotely.

"Smoke or Smoking" means inhaling, burning, or carrying any lighted or heated cigar, cigarette, hookah or pipe or any other lighted or heated tobacco or plant product intended for inhalation, including cannabis, whether natural or synthetic in any manor or in any form. Smoking also includes the use of any Electronic Smoking Device.

"Trail" means a path, route or walkway intended for pedestrian or other non-motorized traffic;

"Under Control" means an animal which:

- a) if, in an area designated as a dog off-leash area, the dog is not on a Leash but remains within 10 meters of the person who has care and control of it and immediately returns when called by that person; or
- b) is restrained on a Leash that is less than or equal to 3 metres long and is accompanied at all times by the person who has care and control of the animal;

and is not molesting, harassing, aggressively pursuing or attacking any person, wildlife or animal;

"Vessel" means a canoe, boat, kayak or other craft used, or capable of being used for navigation on water;

3. AREA OF APPLICATION

This bylaw applies within all FVRD Parks with the exception of the Vedder River Campground, which is exempt from the provisions of this bylaw and has its own regulations, fees and other charges established by separate bylaw.

4. ENFORCEMENT

- 4.1 Authorized Personnel are exempt from all provisions of this bylaw when performing their duties and acting on behalf of the FVRD.
- 4.2 When Authorized Personnel believe, that any person in a Park is contravening this bylaw, a Park Permit, or any applicable enactment, the Authorized Personnel may require that person to:
- a) provide, immediately upon request, that person's correct name, address, and information about their destination, and activities in the Park;
 - b) provide identification verifying that person's correct name and address;
 - c) produce a valid Park Permit authorizing the activity;
 - d) immediately comply with this bylaw, Park Permit, or other enactment;
 - e) leave the Park immediately.
- 4.3 Every person must comply with the requirements of any Authorized Personnel under this bylaw.
- 4.4 Authorized Personnel may enter any area or facility in a Park to evaluate whether individuals or Groups are following all relevant bylaws, prohibitions, and requirements.

5. OFFENCE AND PENALTY

- 5.1 Any fine imposed by a court under this bylaw shall be in addition to, and not in substitution for, any other fee or remedy imposed under this bylaw.
- 5.2 A separate offence shall be deemed to be committed upon each day during and in which a contravention of this bylaw occurs or continues.
- 5.3 Contraventions of this bylaw may be subject to penalties as listed in the current FVRD Bylaw Offence Notice Enforcement Bylaw, as may be amended or repealed and replaced from time to time.
- 5.4 Nothing in this bylaw prevents the FVRD from using any other remedy that is available to it by law.

6. RESPONSIBILITY FOR MINORS

If an offence is being committed by a minor, the person in charge of the minor must take any control measures necessary to prevent or stop the contravention of this bylaw or any other enactment.

7. CONDUCT

- 7.1 A person must not obstruct Authorized Personnel who are performing their duties.
- 7.2 A person must not do any act or suffer or permit any act or thing to be done in contravention of this bylaw or any other enactment.
- 7.3 Every person in a Park must obey all applicable statutes, bylaws, regulations, enactments, and policies, including all signs and Posted Notices in a Park.
- 7.4 A person must not possess or consume alcoholic beverages in a Park except as authorized by a valid Park Permit and all other legally required authorizations.
- 7.5 A person must not defecate or urinate in a Park, except in designated facilities.
- 7.6 A person must not enter into or remain in a Park when the Park is closed.
- 7.7 Section 7.6 does not apply to:
 - a) a person who has a license or lease granted by the FVRD for a Park purpose;
 - b) Authorized Personnel; and
 - c) Emergency Personnel.
- 7.8 A person must not make or cause a Disturbance in a Park.
- 7.9 A person must not operate equipment, Motor Vehicles, machinery or any device in a Park that disturbs, or is likely to disturb the peace, enjoyment or comfort of persons or wildlife in the vicinity, except as authorized by a valid Park Permit.
- 7.10 A person must not Camp in a Park except for in the Island 22 Equestrian Area but only with a Park Permit authorizing that activity.
- 7.11 A person must not interfere with the passage of any person or Motor Vehicle lawfully using a road or Trail or any other portion of a Park except as authorized by a valid Park Permit.
- 7.12 A person must not use or operate a Remote-Controlled Device in a Park, except as authorized by a valid Park Permit.
- 7.13 A person must not climb, stand or sit on the rails of fencing, bridges, boardwalks or viewing platforms in a Park.
- 7.14 A person must not Smoke in Parks or Park Facilities.

8. PRESERVATION OF NATURAL FEATURES, WILDLIFE AND PARK FACILITIES

- 8.1 A person must not undertake any of the following activities in a Park except as authorized by a valid Park Permit:

- a) cut, trim, dig up, excavate, deface, remove, damage, possess, or in any way injure any Natural Park Feature;
- b) build or otherwise create or alter any Trail;
- c) remove, damage, disassemble or deface any Facility;
- d) build, place or install any permanent or temporary structure, Facility or material;
- e) bring in and leave behind any dead or living plant or animal or portion thereof;
- f) Hunt, molest, disturb, frighten, injure, kill, catch, or trap any wildlife, except for angling done in accordance with all enactments;
- g) feed any wildlife or deposit any substance that wildlife may eat except in waste receptacles provided for such purposes;
- h) introduce any Contaminant into any part of a Park including, without limitation, any body of water, fountain, or watercourse.

8.2 A person must not Angle within Cheam Lake Wetlands Regional Park.

8.3 A person must not Angle near or from any boat launch in a Park or near or from any beach in a Park in a way that could endanger persons or property, or interfere with the safe and free use of the area.

8.5 A person must not deposit any On-site Refuse anywhere in a Park, except in waste receptacles provided for such purposes. If a waste receptacle is not provided, no person shall leave Litter in a Park. A person must not deposit raw animal remains, or portions of raw animal remains anywhere in a Park, including in waste receptacles.

8.6 Except for On-site Refuse, a person must not:

- a) dispose of any Litter or waste in a Park; or,
- b) dispose of any material into waste receptacles provided for On-site Refuse.

8.7 A person must not travel within a Park where Posted Notice prohibits such travel.

9. ANIMALS

9.1 Every person with an animal in a Park must keep the animal Under Control at all times. This section does not apply to persons with the care and control of a horse or horses.

9.2 Every person with a dog in an area of a Park designated as a dog off-leash area must:

- a) keep the dog Under Control at all times; and
- b) carry at least one Leash and Collar for each dog.

- 9.3 A person must not cause, permit, or allow an animal to enter a Park or a portion of a Park when signs or Posted Notice prohibit the presence of an animal, except as authorized by a valid Park Permit authorizing that activity.
- 9.4 A person must not allow a dog to be off Leash in areas not designated as dog off-leash areas by sign or Posted Notice.
- 9.5 Animals are not permitted to be brought into Cheam Lake Wetlands Regional Park.
- 9.6 A person with an animal in a Park must immediately pick up any feces deposited by that animal and dispose of the feces in waste receptacles provided. If no waste receptacles are provided, the feces must be removed from the Park.
- 9.7 Sections 9.3 and 9.5 do not apply to certified guide animals pursuant to the *Guide Dog and Service Dog Act*.
- 9.8 A person must not have a horse in any Park except as authorized by a valid Park Permit except:
 - a) at Island 22 Regional Park, and then, only in designated equestrian areas;
 - b) in portions of a Park specifically designated for that purpose by Posted Notice; or
- 9.9 Persons with horses in a Park must obey all Posted Notices.

10. MOTOR VEHICLES

- 10.1 Except as authorized by a valid Park Permit, a person must not operate, or permit to be operated, a Motor Vehicle, in a Park anywhere except:
 - a) on roadways;
 - b) in parking lots or areas;
 - c) in areas with Posted Notices allowing for such use
- 10.2 A person must not operate a Motor Vehicle in a Park unless that person and the Motor Vehicle are validly licensed and registered and conform to all applicable enactments.
- 10.3 A person must not park a Motor Vehicle in a Park except in designated parking areas or along public roadways not marked as "No Parking" areas except as authorized by a valid Parking Pass or Park Permit authorizing that activity.
- 10.4 A person must not park a Motor Vehicle in the boat launch at Island 22 Regional Park unless that Motor Vehicle is towing a boat on a trailer and accessing the boat launch for the purpose of launching that boat, except as authorized by a valid Park Permit.
- 10.5 A person must not operate, park or stop a Motor Vehicle in a Park in a manner that impedes proper, free and safe use of a Park, or in a manner that restricts or inhibits recreational use of the Park except as authorized by a valid Park Permit.

- 10.6 Motor Vehicles parked in front of gates and in areas where they are prohibited by a sign or Posted Notice, and Motor Vehicles left unattended after the closing hours of the Park may be towed away or immobilized at the expense of the owner. Neither the FVRD nor any Authorized Personnel is liable or accountable to the owner for damage to a Motor Vehicle being removed or immobilized.
- 10.7 Except as authorized by a valid Park Permit, a person must not park a Motor Vehicle in an area, lot, or stall in a Park designated as accessible parking without a valid accessible parking permit, or in an area, lot or stall in a Park designated as service or emergency vehicle parking unless the vehicle being parked is a Park service vehicle or an Emergency Personnel vehicle.
- 10.8 In areas of Parks designated as pay parking, a person with a Motor Vehicle must display a Parking Pass or receipt of payment on the driver's side windshield of the Motor Vehicle.
- 10.9 A person must not wash, clean, polish, repair, tune up, or do any maintenance or mechanical work to a Motor Vehicle in a Park.
- 10.10 A person with a Motor Vehicle must not cause, permit or allow that Motor Vehicle to remain in a Park overnight or beyond the hours that the Park is open except as authorized by a valid Parking Pass or Park Permit.
- 10.11 Other than Emergency Personnel, a person must not use an aircraft to arrive at or depart from a Park except as authorized by a valid Park Permit.
- 10.12 Sections 10.1, 10.2, 10.3, 10.4 and 10.8 do not apply to Mobility Aids.

11. VESSELS

- 11.1 A person must not operate a Vessel:
 - a) on any body of water in a Park where a sign or Posted Notice prohibits that activity;
 - b) within Cheam Lake Wetlands Regional Park, Cascade Falls Regional Park or Thacker Regional Park;except as authorized by a valid Park Permit.
- 11.2 A person must not use any Vessel, in the vicinity of a boat launch or beach in a Park in a way that endangers persons or property, or interferes with the safe and free use of the boat launch or beach.
- 11.3 A person shall not tie up, attach, or moor a Vessel to a Park property or Facility except in an area designate by Posted Notice as allowing mooring.

12. COMMERCIAL SERVICES OR ACTIVITIES

- 12.1 Except as authorized by a valid Park Permit, Lease or License of Occupation, a person must not conduct any commercial services or activities in a Park including, but not limited to:
- a) selling, bartering or displaying any goods or services;
 - b) conducting any business or commercial activity or encouraging any person to use a Park for any activity related to a business or commercial enterprise, whether or not the business or commercial aspect of the activity is carried out within the Park;
 - c) posting or affixing any notice, advertisement, sign, placard or handbill of any kind.

13. FIRES, FIREARMS AND FIREWORKS

- 13.1 A person must not light or keep lit any fire, stove, barbecue or other flame-producing device in a Park except as authorized by a valid Park Permit, except:
- a) in facilities provided for fires or flame-producing devices;
 - b) in an area designated by sign or Posted Notice.
- 13.2 A person must not leave a fire, stove, barbecue or other flame-producing device of any kind unattended while it is lit or turned on.
- 13.3 A person must not create, keep, maintain, add fuel to or otherwise permit an open fire in a Park, except as authorized by a valid Park Permit.
- 13.4 A person must not deposit, anywhere in a Park, any lit match, cigar, cigarette or other burning substance except as permitted in Section 13.1.
- 13.5 For public safety and convenience, Authorized Personnel may, at any time:
- a) prohibit a fire or flame-producing device in a Park;
 - b) extinguish a fire or flame-producing device;
 - c) require that a fire or flame-producing device be contained within a designated device or area.
- 13.6 A person must not possess or discharge any firearm in a Park, except as authorized by a valid Park Permit.
- 13.7 A person must not possess or discharge fireworks or any device that propels a projectile by means of an explosion, compressed gas, spring or string in a Park except as authorized by a valid Park Permit.

14. PARKING PASSES

- 14.1 The FVRD or Authorized Personnel are not obligated to issue any Parking Pass and may amend, suspend, revoke or refuse to issue a Parking Pass to any person who has contravened this bylaw or any other applicable enactment.
- 14.2 Parking Passes purchased will be honored interchangeably at all FVRD Parks.
- 14.3 A person purchasing a Parking Pass must provide to the Authorized Personnel, at the time of purchase, their correct contact information and Motor Vehicle description and license plate number for the vehicle which the Parking Pass is intended, and must pay the established fee set out in Schedule A to this bylaw in full at the time of purchase.
- 14.4 Parking Passes must be affixed to windshield of the subject Motor Vehicle at the time of purchase and are not transferrable to other persons or Motor Vehicles. Parking Passes may only be re-issued or replaced if the original Parking Pass is returned.

15. PARK PERMITS

- 15.1 The Parks Manager is hereby delegated the authority to issue Park Permits and to apply terms and conditions with respect to Park Permits, including specific exemptions from provisions of this bylaw where it is noted in this bylaw that an activity is prohibited except as authorized by a valid Park Permit. The Parks Manager may delegate this authority to Authorized Personnel.
- 15.2 A person must not conduct or participate in any of the following in a Park except as authorized by a valid Park Permit, Lease or License of Occupation:
- a) an activity or event involving a Group of persons, whether as participants, volunteers, staff or spectators;
 - b) an activity or event requiring exclusive use of a Park or any portion of a Park including Facilities;
 - c) an activity or event which is publicly advertised;
 - d) an event or activity for which participants or spectators are charged a fee or donation;
 - e) an activity or event which may have an impact on other park users, wildlife or other surrounding residents;
 - f) filming and associated activities;
 - g) any commercial services or activities;
 - h) scientific research or educational activities.

Events and activities may also be subject to additional requirements and regulations, including local municipal regulations, regional district regulations and provincial regulations, including, but not limited to, zoning and special events regulations or licensing.

- 15.3 A person may apply for a Park Permit by submitting a completed Park Permit application form to the Parks Department, with all required attachments, which may include a location map, site plan, and proof of liability insurance or other requirements and any other details of the activity or event.
- 15.4 Once a Park Permit has been approved, the person requesting the Park Permit must pay a fee as set out in Schedule A to this bylaw prior to that Park Permit being issued.
- 15.5 The Parks Manager is not obligated to issue any Park Permit and may amend, suspend, revoke or refuse to issue a Park Permit to any person who has:
- a) contravened any previous Park Permit,
 - b) contravened this bylaw or any other enactment, or
 - c) applied for a Park Permit for an activity, or event that was found by the Parks Manager to be incompatible with the intended use of the Park.
- 15.6 The holder of a Park Permit must comply with all the terms and conditions of the permit and is solely responsible for the conduct of the activity or event which the Park Permit authorizes.
- 15.7 It is a condition of all Park Permits, that neither the FVRD nor any of its elected or appointed officers, employees, servants, agents, contractors, licensees or representatives accepts or assumes any responsibility or liability for any claims, demands, proceedings, actions, suits, costs, expenses, fines, losses or damages in respect to death, injury, loss or damage to persons or property, however caused, arising out of or in connection with the activity or event for which a Park Permit has been issued. If the FVRD or any of its elected or appointed officers, employees, servants, agents, contractors, licensees or representatives is named as a party in any proceeding relating to a Park Permit, the Permittee shall indemnify the FVRD for any costs, expenses or fees incurred in the defense of that proceeding.
- 15.8 Except as provided elsewhere in this bylaw, holders of a Park Permit must:
- a) remove all personal property and dispose of all structures, improvements, and works that they have built in a Park within 48 hours following the termination of the Park Permit, or within 48 hours following receipt of a written order from the Parks Manager, whichever occurs first; and
 - b) restore the area as nearly as possible to its natural condition to the satisfaction of the Parks Manager.
- 15.9 If a person does not comply with Section 15.8 the Parks Manager may, after providing or attempting to provide notice, authorize personnel to remove and dispose of the personal property, improvements, or works and restore the area as necessary. If the FVRD incurs any expense under this section, the person who failed to comply with this section owes the amount of that expense to the FVRD and shall pay that amount immediately on demand. The FVRD may pursue all other remedies available to it to recover any outstanding amounts.

16. FEES AND CHARGES

- 16.1 Fees and other charges with respect to the use of Parks are hereby imposed as set out in Schedule A attached hereto and forming an integral part of this bylaw.
- 16.2 Fees and other charges with respect to the use of Parks may be waived or refunded if a person:
- a) has already paid towards the cost to which the fee or charge relates;
 - b) does not require the service to which the fee or charge relates;
 - c) no longer undertakes the activity or thing for which a permit or approval was required; or
 - d) has prepaid toward the costs of the service to which the fee or charge relates and use of the service by the person is discontinued.

17. SEVERABILITY

If a portion of this bylaw is found invalid by a court, it will be severed and the remainder of the bylaw will remain in effect.

18. REPEAL

Fraser Valley Regional District Parks Regulation Bylaw No. 1273, 2014 and any and all amendments thereto are hereby repealed.

19. READINGS AND ADOPTION

READ A FIRST TIME THIS	day of
READ A SECOND TIME THIS	day of
READ A THIRD TIME THIS	day of
ADOPTED THIS	day of

Chair/Vice-Chair

Corporate Officer/Deputy

20. CERTIFICATION

I hereby certify that this is a true and correct copy of *Fraser Valley Regional District Parks Regulation Bylaw No. 1500, 2018* as adopted by the Board of Directors of the Fraser Valley Regional District on the day of

Dated at Chilliwack this day of

Corporate Officer/Deputy

FRASER VALLEY REGIONAL DISTRICT BYLAW NO. 1500, 2018.

SCHEDULE A
FEES AND OTHER CHARGES

Parking Passes	Fee – includes taxes
BOAT LAUNCH PARKING	
*Launch (daily)	\$10
Overnight Parking (daily)	\$20
Overnight Parking (3 day weekend)	\$50
*Seasonal Pass (regular)	\$50
*Seasonal Pass (commercial)	\$100
Seasonal Pass (regular overnight)	\$100
Seasonal Pass (commercial overnight)	\$200
DAY-USE PARKING	
Parking (daily)	\$5
Seasonal Pass	\$25
EQUESTRIAN AREA PARKING	
Single Vehicle (daily)	\$5
Vehicle Towing Trailer (daily)	\$10
Seasonal Pass (single vehicle)	\$25
Seasonal Pass (vehicle towing trailer)	\$50

Park Permits	Fee (per day) – includes taxes
**Park Permit Application Processing Fee	\$150
Filming (per day)	\$100
Commercial Service or Activity (per day)	\$100
Wedding	\$100
Special Event	\$200
Overnight Security	\$20/hr
Scientific Research/Education	\$0
Group Picnic	\$100
Picnic Shelter Rental (weekday)	\$75
Picnic Shelter Rental (weekend or statutory holiday)	\$100
Riding Ring Rental (weekday)	\$75
Riding Ring Rental (weekend or Statutory holiday)	\$100

*Park passes are transferable between Island 22 and Dewdney Nature Regional Parks.

**Park permit application processing fee will be waived for: non-profit organizations; scientific research/education uses; group picnic shelter rentals; weddings; and riding ring rentals.