



VILLAGE OF HARRISON HOT SPRINGS  
BYLAW NO. 1150

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A bylaw to regulate the use of parks, beaches, public areas and boulevards

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**WHEREAS** Section 8 (3) (j) of the *Community Charter* provides that a Council may, by bylaw, regulate, prohibit and impose requirements in relation to the protection of the natural environment;

**AND WHEREAS** Council deems it desirable to regulate the use of parks, beaches, boulevard and other public areas within the boundaries of the Village of Harrison Hot Springs;

**NOW THEREFORE**, the Council of the Village of Harrison Hot Springs, in open meeting assembled, hereby enacts as follows:

1. This Bylaw may be cited as the "Park Regulation Bylaw No. 1150, 2020".
2. In this Bylaw, unless the context otherwise requires:

**"Artisan Market"** means a market composed entirely of vendors, who sell at the market artisanal goods of their own making or agricultural goods they produce, grow or raise themselves;

**"Barbeque"** means an apparatus designed to cook food using propane, butane or natural gas of a size not to exceed the barbeque pedestal;

**"Barbeque Tank"** means a canister cylinder that contains propane, butane or other gaseous fuel with a liquid capacity of 10 lbs or less;

**"Barbeque Pedestal"** means the stand installed and designed by the Village to hold a barbeque in place for the purpose of cooking food;

**"Beachfront Lagoon Area"** means the entire sand beach area around the lagoon, southernmost portion of the sand beach up to the grassed area and entire body of water in the lagoon;

**"Boat"** means paddle boat, sailboat, canoe, kayak or motorboat;

**"Camping equipment"** means tent, sleeping bag, knapsack, or bedroll, propane, butane natural gas or charcoal barbeque, hibachi or any other form of cooking apparatus;

**"Cannabis"** has the same meaning as in the Cannabis Act (Canada), subject to any prescribed modifications;

**"Golf Cart"** has the same meaning as defined in the Motor Vehicle Act of BC;

**"Matter"** means any substance that has mass and takes up space by having volume;

**“Micromobility Device”** means a zero-emission motorized personal mobility device such as an e-scooter, electric skateboard or other device designed to transport one person.

**“Migratory Bird”** means a migratory bird, including Canada Goose, referred to under the Migratory Birds Convention Act, 1994, and includes the sperm, eggs, embryos, tissue cultures and parts of the bird;

**“Mobility device”** means any wheelchair, motorized scooter or any other device used by physically challenged or cognitively impaired persons;

**“Motor assisted cycle”** has the same meaning as defined in the Motor Vehicle Act of BC;

**“Motor home”** has the same meaning as defined in the Motor Vehicle Act of BC;

**“Motor Vehicle”** has the same meaning as defined in the Motor Vehicle Act of BC;

**“Motorcycle”** has the same meaning as defined in the Motor Vehicle Act of BC;

**“Nest”** means the nest of a migratory bird and includes parts of the nest;

**“Off-road vehicle”** has the same meaning as defined in the Motor Vehicle Act of BC;

**“Park”** means any real property owned or subject to a right of occupation by the Village for the purposes of pleasure, recreation or community uses of the public including public parks, playgrounds, public squares, pathways and other public places and all improvements and shall include all beaches and other public areas adjacent to lakes or streams including foreshore or land covered by water; but does not include the travelled portion of a highway;

**“Public Space”** means any real property or portions of real property owned or subject to a right of occupation by the Village to which the public is ordinarily invited or permitted to be in or on, and includes, but is not necessarily limited to, the grounds of public facilities or buildings, boulevards, sidewalks and public parking lots;

**“Rendall Park Area”** means the southernmost portion of the sand beach adjacent to Rendall Park including the designated swimming area;

**“Service or Guide Dog”** means a Dog trained and certified to assist people with mobility impairments or other disabilities;

**“Structure”** means any tent, fixture, furniture, shelter or apparatus erected for permanent or temporary uses for display, eating, seating, camping, sleeping, staying, storing or residing in;

**“Sunshade or sun canopy”** means a device or shelter with a maximum area of 2m<sup>2</sup> and maximum height 1.5m used for the purpose of blocking sunlight;

**“Trailer”** has the same meaning as defined in the Motor Vehicle Act of BC;

**“Wild Animal”** means any animal as defined under the Wildlife Act of BC, but does not include domestic animals;

**REGULATION**

3. No person shall enter or be upon any beach or park, between the hours of 11:00 p.m. and 5:00 a.m. each day;
4. No person shall set up or occupy any camper, trailer, recreational vehicle or other form of camping equipment, fixture, furniture, tent, shelter or apparatus erected for permanent or temporary uses for display, eating, seating, camping, sleeping, staying, storing or residing in on any public space or park; except where:
  - a. a sunshade or sun canopy with a maximum area of 2m<sup>2</sup> and maximum height 1.5m is used for the purpose of blocking sunlight;
5. No person shall park, store, place or abandon any licenced or unlicenced Boat, Golf Cart, Motor Home, Motor Vehicle, Motorcycle, Off-Road Vehicle, Trailer or other matter on any public land; and
  - a. where the Village believes a Boat, Golf Cart, Motor Home, Motor Vehicle, Motorcycle, Off-Road Vehicle, Trailer or other matter has been parked, stored, placed or abandoned on public land or in violation of section 5, the Village may have it removed from the land at the owner's expense;
6. No person shall remove, take away or deposit any gravel, sand or earth from or onto any part of any beach or park;
7. No person shall throw any stones, glass, bottles, cans or litter on any beach or park or in the water adjacent to such beach or park;
8. No person shall remove, move or place any rocks, docks, mooring devices, buoys, rafts, signs or other apparatus to or from any park or beach or from water adjacent to such park or beach;
9. No person shall cause, allow or permit dogs to be:
  - a. on the entire sand beach area around the lagoon, southernmost portion of the sand beach up to the grassed area and entire body of water in the beach lagoon, known as the "Beachfront Lagoon Area" as designated and marked in Schedule "A" attached hereto and forming part of this Bylaw; and
  - b. on the southernmost portion of the sand beach adjacent to Rendall Park, including the designated swimming areas, known as the "Rendall Park Area" as designated and marked in Schedule "A" attached hereto and forming part of this Bylaw;

unless the dog is a Service or Guide Dog trained and certified under the *Guide Dog and Service Dog Act*;
10. No person shall kindle, build, light, maintain any fire, barbeque, hibachi or any other form of cooking apparatus that uses wood, charcoal, briquettes or any other form of natural burning product, at any time on any beach or park; except where:
  - a. a barbeque designed to cook food that uses propane, butane or natural gas with a cylinder liquid capacity of 10 lbs or less is being used; and

- b. is of a size not exceeding a barbeque pedestal; and
  - c. is located in the designated pedestal area marked in red on the attached map as Schedule "B" attached hereto and forming part of this bylaw;
- 11. No person shall operate paddleboards, kayaks, power boats, sailboats, rowboats, canoes or any other water vehicle, boat or vessel, inside any designated swimming areas;
- 12. No person shall be on the roof of any building or public structure, in any tree or up on any flag pole or light pole in any beach or park;
- 13. No person shall be in any building, tennis court, or other enclosure or structure in any beach or park except during the hours that said building, tennis court or other structure is authorized to be used or to be open by the Village;
- 14. No person shall break, injure or damage the locks, gates, bolts, fences, seats, benches, buildings, structures, or other property placed in beaches, parks, boulevards or other public areas or grounds;
- 15. No person shall wilfully destroy, mutilate, efface, deface, or remove any sign or marker posted under this or any other Bylaw of the Village;
- 16. No person shall climb, bark, break, peel, cut, deface, remove, injure, root up or otherwise destroy or damage the trees, shrubs, flowers, roots or grass planted in or on any public area, beach, boulevard, park or grounds;
- 17. No person shall smoke any tobacco, cannabis, electronic cigarette, cigar, cigarillo, pipe or ignite any cartridge of nicotine solution, vaporizing system or smoke any substance that replicates a smoking experience in any building, structure, park or public space;
- 18. No person shall consume or possess open liquor at any time in any park or public space, except where the said liquor is consumed or possessed pursuant to and in compliance with a licence issued under the *Liquor Control and Licencing Act*;
  - a. where alcoholic beverages are served, the event must be fully secured by an enclosure that separates it from the general public, unless the event is an artisan market where the vendor is licenced to provide liquor samples to the public; and
  - b. the carrying of alcohol between businesses, buildings and event locations is prohibited.
- 19. No person shall play or practice the game of golf or similar games played with golf clubs and balls in any beach or park, except in any area designated for the playing and practicing of golf or similar games;
- 20. No person shall ride or drive any horse in, upon, or through any public areas, parks, boulevards or beaches;
- 21. No person shall ride or drive any micromobility device, motor assisted cycle, scooter, rollerblade, skateboard, motorcycle, automobile, sleigh, snowmobile, all-terrain vehicle or other vehicle or conveyance in or upon any of the public areas, beaches, parks, grounds or boulevards; except that a cyclist, having first dismounted from his cycle, may use or be upon or along any sidewalk, pathway or footpath in any park;

- a. Notwithstanding item 21 above, the use of mobility devices used by physical challenged or cognitively impaired Persons is permitted;
- 22. No person shall park unhitched trailers, boats, RV's or any other equipment at any boat launch ramp or designated parking area within the Village;
- 23. No person shall intentionally feed or attempt to feed, or otherwise use any attractant to encourage the feeding of any wild animal or bird, including a Canada Goose;

**EXEMPTIONS**

- 24. This Bylaw does not apply to or prevent any officers, employees or agents of the Village or agents of the federal or provincial government from carrying out their assigned duties;
- 25. Provisions of this bylaw may be exempt if a Temporary Sidewalk Extension Licence of Occupation, Special Event or Community Event Permit has been approved or otherwise authorized by the Village;

**LIABILITIES FOR DAMAGES**

- 26. This Bylaw shall not be construed to hold the Village or its authorized agents responsible for any damage to persons or property by reason of a propane, butane or natural gas fired grill or barbecue.

**OFFENCE AND PENALTY**

- 27. Every person who violates any provision of this Bylaw, or who allows or permits any act or thing to be done in violation of any provision of this Bylaw shall be guilty of an offence under the Bylaw Notice Enforcement Bylaw as amended from time to time;

**SEVERABILITY**

- 28. If any portion of this Bylaw is for any reason found invalid by decision of a court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this Bylaw.

**REPEAL**

- (a) The Village of Harrison Hot Springs "Park Regulation Bylaw No. 915, 2009" and amendments thereto are hereby repealed in their entirety.

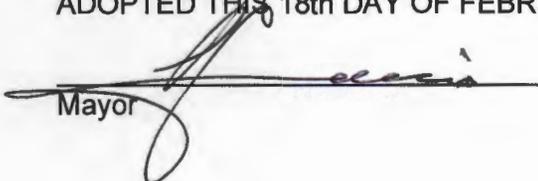
**READINGS AND ADOPTION**

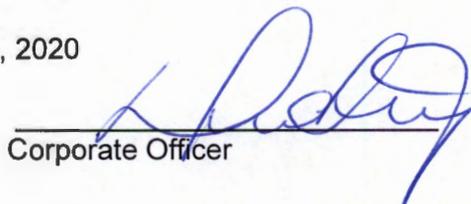
READ A FIRST TIME THIS 3rd DAY OF FEBRUARY, 2020

READ A SECOND TIME THIS 3rd DAY OF FEBRUARY, 2020

READ A THIRD TIME THIS 3rd DAY OF FEBRUARY, 2020

ADOPTED THIS 18th DAY OF FEBRUARY, 2020

  
Mayor

  
Corporate Officer

SCHEDULE "A"  
Beachfront Lagoon and Rendall Park Prohibited Areas



SCHEDULE "B"  
Designated Barbeque Pedestals Area

