

CORPORATION OF THE TOWNSHIP OF CHAMPLAIN

BY-LAW NUMBER 2020-65

BEING A BY-LAW TO PROTECT, PROHIBIT, REGULATE AND CONTROL ALL PUBLIC PARKS IN THE TOWNSHIP OF CHAMPLAIN

WHEREAS The Corporation of the Township of Champlain owns, operates and maintains parks in the Township of Champlain;

AND WHEREAS Section 9 of the *Municipal Act*, 2001, S.O. 2001, c.25 provides a municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11(3) of the *Municipal Act*, 2001, S.O. 2001 c. 25 as amended, a municipality may pass by-laws respecting matters within the spheres of jurisdiction, namely culture, parks, recreation and heritage;

AND WHEREAS Sections 23.1, 23.2, 23.3 and 23.5 of the *Municipal Act*, 2001, S.O. 2001, c.25 authorize a municipality to delegate certain powers and duties;

AND WHEREAS Sections 444 and 445 of the *Municipal Act*, 2001, S.O. 2001, c.25 provides that where a municipality is satisfied of a contravention of a by-law that the municipality may make an order to discontinue or correct the contravention of the by-law;

AND WHEREAS Section 35 of the *Liquor License Act* R.S.O. 1990, c. L-19 as amended, provides that the council of a municipality may by by-law designate recreational areas within the municipality owned or controlled by the municipality as places where possession of liquor is prohibited.

AND WHEREAS Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, provides that except where otherwise provided by law, every person who is convicted of an offence under a municipal by-law is liable to a fine of not more than \$5,000;

AND WHEREAS Section 2 of the *Trespass to Property Act*, R.S.O. 1990, c. T.21, provides that every person who engages in an activity on a premise when the activity is prohibited or does not leave the premise immediately after he or she is directed to do so by the occupier of the premise or a person authorized by the occupier may be found guilty of an offence and liable to a fine of not more than \$10,000;

AND WHEREAS Council deems it appropriate to enact a by-law to prohibit and regulate activities at parks and to protect these lands on behalf of the public interest;

NOW THEREFORE the Council of The Corporation of the Township of Champlain enacts as follows:

TITLE: This By-law shall be known and may be cited as the Parks By-law.

SECTION 1 – DESIGNATION OF PROPERTIES

- (a) The property more commonly known as the “**Mill Street Park**” and being more appropriately and legally described as being parts of Lots 3 and 5 and Lot 4, Plan 35 including Part 1 of Reference Plan 46R2257 in the geographic Town of Vankleek Hill now in the Township of Champlain, County of Prescott and Province of Ontario;
- (b) The property more commonly known as the “**Woodhills Park**” and being more appropriately and legally described as being Block F of Plan M29 in the geographic

Town of Vankleek Hill now in the Township of Champlain, County of Prescott and Province of Ontario;

- (c) The property more commonly known as “**Vankleek Hill Town Square**” being more appropriately and legally described as being Part of PIN 54159-0310(LT) being Part of Lot 59 North Side Main Street, Registered Plan No. 35, formerly in the Town of Vankleek Hill, now in the Township of Champlain, in the County of Prescott, designated as Part 1 on Plan 46R-7822;
- (d) The property more commonly known as the “**Laurentian Park**” and being more appropriately and legally described as being Block A of Plan M33 and Block A of Plan 227 in the geographic Township of West Hawkesbury now in the Township of Champlain, County of Prescott and Province of Ontario;
- (e) The property more Commonly known as the “**Miner Park**” and being more appropriately and legally described as being part of the west one-half of Lot 1, Concession 1 in the geographic Township of West Hawkesbury now in the Township of Champlain, County of Prescott and Province of Ontario and designated as being Part 1 of Reference Plan 46R2986, Lots 26 and 27 of Plan 234;
- (f) The property more commonly known as the “**Laurier-Pilon**” and being more appropriately and legally described as being Plan 15 Lot 16 and 17 in the geographic Village of L’Original now in the Township of Champlain, County of Prescott and Province of Ontario;
- (g) The property more commonly known as the “**L’Original Marina**” and being more appropriately and legally described as being Part of Farm Lot 11, Plan 15 in the geographic Village of L’Original now in the Township of Champlain, County of Prescott and Province of Ontario;
- (h) The property more commonly known as the “**L’Original Municipal Park**” and being more appropriately and legally described as being Part of Farm Lot 11, Plan 15 in the geographic Village of L’Original now in the Township of Champlain, County of Prescott and Province of Ontario; and
- (i) The property more commonly known as “**Sacha’s Park**” being more appropriately and legally described as being Property Identifier Number (PIN) 54142-0995 being Lot 9, Plan 46M-112, in the Township of Champlain, in the County of Prescott and Province of Ontario.

SECTION 2 - DEFINITIONS

- (a) “**Authorized sign**” means any sign, notice, or other device placed or erected in or upon a park by the Township.
- (b) “**Council**” means the Council of the Township of Champlain.
- (c) “**Electric vehicle**” means a vehicle that may be powered through a collector system by electricity from off-vehicle sources, or may be self-contained with a battery, solar panels or an electric generator to convert fuel to electricity. This includes, but is not limited to, road and rail vehicles, surface and underwater vessels, electric aircraft and electric spacecraft.
- (d) “**Liquor**” means spirits, wine and beer or any other alcoholic beverage.
- (e) “**Motorized Recreational Vehicle**” means a snowmobile, go-cart, trail bike, mini bike, all-terrain vehicle, or similar vehicle, propelled by an internal combustion engine.
- (f) “**Officer**” means a Municipal Law Enforcement Officer, a Police Officer or other person appointed by by-law to enforce the provisions of this by-law.

- (g) **“Organized Sport or activity”** means a sport, game or activity pre-planned by a group or organization whether or not formally constituted and whether or not the players wear a uniform.
- (h) **“Park”** includes all land owned or operated by or belonging to the Township of Champlain used for park or recreational purposes including but not limited to green spaces, trails, walkways, beaches, beach accesses, sports fields, wooded areas and all portions thereof owned by or made available by lease, agreement, or otherwise to the Township, that is or hereafter may be established, dedicated, set apart or made available for the use as a public open space, including any buildings, structures, facilities, erections and improvements located in or on such lands.
- (i) **“Parking area”** means a part of a park that is designated for the parking of motor vehicles.
- (j) **“Permission or permit”** means the express prior written permission of the Council or the Parks and Recreation Director and in accordance with the rules and conditions set out in a contract or permit issued or as posted in the park.
- (k) **“Person”** means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply, according to law.
- (l) **“Post or posted”** refers to the erection or presence of permissive, regulatory, restrictive, warning or prohibitive signs and “posted area” means an area where such signs are erected.
- (m) **“Service animal”** includes a guide dog and other trained service animal identifiable by a harness and used principally to assist persons with a visual, hearing or other disability or impediment.
- (n) **“Township”** means The Corporation of the Township of Champlain.
- (o) **“Vehicle”** means a vehicle as defined under the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as may be amended from time to time, and includes any carriage, wagon, sleigh, toboggan, or other vehicle or conveyance of every description, but does not include a baby carriage or cart, child's wagon, child's sleigh, child's stroller or other conveyance of like nature, wheelchair or other similar device used by an individual due to a disability.
- (p) **“Vendor”** means anyone with a retail-vending license selling refreshments or goods of any type for public use or consumption.
- (q) **“Watercraft”** means any device for the conveyance in or on water and includes but is not limited to boats, row boats, sail boards, canoes, kayaks, or dinghies.

SECTION 3 – SCOPE

- 3.1 The parks of the Township are for the benefit and pleasure of all persons who shall be subject to the rules and regulations passed thereto.
- 3.2 Properties set aside as a park by the Township are to be used for the rest, recreation, pleasure, amusement, enjoyment and benefit of the public and it is desirable to prevent any person from interfering with the enjoyment by the public of such use.
- 3.3 Parks users are subject to all applicable Municipal By-laws and all Provincial and Federal laws and regulations and all persons contravening any By-law or law may be required to leave any park.

SECTION 4 - ADMINISTRATION

- 4.1 The Director of Parks and Recreation shall be responsible for the administration of this By-law.
- 4.2 The Director of Parks and Recreation shall:
- (a) administer the management, control, regulations, maintenance, development and usage of all parks within the Township;
 - (b) recommend to Council, as required, from time to time revisions, additions or amendments to the By-law for the improvement to the management, control, regulations, maintenance, and usage of the parks within the Township; and
 - (c) receive applications and provide recommendations to Council, as Council deems necessary, for festivals or special events taking place in parks or using a park.
- 4.3 The Director of Parks and Recreation may, in writing, delegate any or all of the powers conferred on the Director of Parks and Recreation by this By-law to any person or persons the Director of Parks and Recreation considers advisable.
- 4.4 The Director of Parks and Recreation may authorize the formalization and execution of contracts to permit:
- (a) the operation of concessions in a park, or in a building within a park, selling anything or providing services deemed appropriate by Council;
 - (b) the rental of equipment in a park;
 - (c) the display or exhibit of information to the public in a park;
 - (d) volunteers providing services to the Township, including any necessary indemnifications;
 - (e) related programs put on by the Township including leases and licences, and any necessary indemnifications; and
 - (f) the sponsorship of Township programs, events or other such items.
- 4.5 The Director of Parks and Recreation may as he/she deems necessary for the administration of parks, preservation and protection of parks and amenities, and to ensure public safety:
- (a) close, limit or restrict the use, or type of use of a park;
 - (b) prohibit or vary any activity or use in a park otherwise permitted pursuant to this By-law;
 - (c) establish or designate areas for the rest, recreation, pleasure, amusement, enjoyment and benefit of the public and the safe use of a park;
 - (d) cause signs to be erected describing any of the provisions of this By-law, or restricting or limiting the use or attendance on any part or portion of any park for the interest of the public safety and well-being; and
 - (e) in a prosecution for contravening this By-law the evidence that a sign was posted is prima facia proof that the sign was appropriately erected by the proper authority without other or further proof thereof.

SECTION 5 - PARK HOURS

- 5.1 All municipal parks shall be closed and remain closed to the public on each day of the week from April 16 to October 31 between the hours of nine (9) o'clock p.m. and eight (8) o'clock a.m. the following day and parks will be closed for public use from November 1st to April 15. Hours of operation may be exempt for scheduled games, activities or community events, valid and current leaseholders at the L'Original Marina, the L'Original Campground in the L'Original Municipal Park, or other posted schedules (i.e outdoor rinks) or other activities which have been authorized by resolution of Council or in writing by the Director of Parks and Recreation.
- 5.2 No person shall enter into or remain in a facility when the facility is closed to the public, unless authorized by the Director of Parks and Recreation.

- 5.3 No person shall allow a vehicle to remain in a park during any period when a park is closed except for current leaseholders at the L'Original Marina and L'Original Campground in the L'Original Municipal Park.

SECTION 6 - CONDUCT

6.1 Conduct in park

While in a park, no person shall:

- (a) engage in any riotous, boisterous, violent, threatening or illegal conduct or use profane or abusive language;
- (b) cast, throw, or in any way propel any object in such manner as may or does endanger or cause injury or damage to any person or property;
- (c) create a nuisance by loitering, spying, accosting, frightening, annoying or otherwise disturbing other persons; or
- (d) create a nuisance or in any way interfere with the use and enjoyment of the park by other persons.

6.2 Restricted Areas

While in a park, no person shall enter into an area in a park where it is posted to prohibit or restrict admission to the public.

6.3 Destruction or Abuse of Property and Equipment

While in a park no person shall:

- (a) deface, alter, write upon, destroy, otherwise damage or remove in any way real or personal property or equipment; or
- (b) open or otherwise tamper with an emergency life preserver enclosure, except in an emergency situation requiring the use of the emergency life preserver.

6.4 Destruction or Abuse of Trees, Plants, Flowers, Shrubs and Grass

While in a park, no person shall:

- (a) destroy, cut, mark, break, dig, pull up, burn or in any way damage, injure, deface, remove or deface any tree, flower, shrub, plant, sod, grass or other vegetation, soil, sand, gravel or wood;
- (b) walk, run or drive a vehicle on or allow any animal or child in his or her custody to go upon any area, garden area or newly-seeded turf, where restrictive signs are posted; or
- (c) construct upon or alter the grade of any property.

6.5 Littering, Polluting, Dumping

No person shall in any park:

- (a) dispose or dump garbage, litter, tree trimmings or like refuse, except that which is generated through the normal use of the Park and shall only deposit same in receptacles provided for such purpose;
- (b) dispose or dump garden, household or commercial refuse in any park receptacle or in any other area of the Park; or
- (c) dump, drain or discharge onto any soils, or into any waters within any park (including pools and bathing areas, fountains, or any tributary, pond, lake, brook, stream, sewer or drain flowing into any waters, or watercourse of any kind), any substance, liquid or solid, toxic or otherwise which may have the effect of polluting the said watercourse(s).

6.6 Restrictions on Glass Containers

No person shall consume from or use glass containers in any Park.

6.7 Explosives, Firearms and Weapons

While in a park, no person shall:

- (a) be in possession of or use any firearm, torpedo, rocket of any type air gun, bow and arrow, axe or offensive weapon of any kind unless authorized by permit;
- (b) throw stones or strike a golf ball;
- (c) ignite, discharge or set off any fireworks except as a fireworks display authorized and in compliance with all federal, provincial and municipal By-laws.

6.8 Disorderly Behaviour

No person shall in any park:

- (a) enter or leave any park except by designated entrance ways or exits, or enter or attempt to enter any facility, area or building sealed, locked or otherwise restricted from public access;
- (b) use any buildings, structure or equipment for any purpose other than that for which it is obviously intended;
- (c) remove or change the location of or in any way disturb the setting of playground or any other equipment or chattels or of any part or portion thereof;
- (d) climb any building, structure or equipment, unless it is equipment designed for climbing;
- (e) cause to take place or participate in marriage ceremony except in a designated area and with permission; or
- (f) use a metal detector in any park without permission.

6.9 Smoking and Vaping

Smoking and Vaping is governed by the *Smoke-Free Ontario Act, 2017* (SFOA, 2017) and any other smoking and vaping By-law enacted by the Corporation of the Township of Champlain.

6.10 Alcohol

While in a park, no person shall consume, serve or sell alcoholic beverages unless authorized by the Municipality and with the approval of the Alcohol and Gaming Commission of Ontario.

6.11 Protection of Wildlife

While in a park, no person shall:

- (a) kill, attempt to kill, trap, hunt, fish, attempt to fish, pursue or in any manner disturb any animal, bird, waterfowl, fish, worms, or other wildlife, provided that this provision shall not apply to any person fishing in an area otherwise allowed by law, unless posted or otherwise; or
- (b) Feed any waterfowl or bird except in a designated area.

6.12 Encroachment

Unless otherwise authorized by Permit or otherwise, no person shall encroach upon or take possession of any park by any means whatsoever, including the construction, installation or maintenance of any fence or structure, the dumping or storage of any materials or plantings, or planting, cultivating, grooming or landscaping thereon.

SECTION 7 – PARK USE

7.1 Campfires and Barbeques

While in a park, no person shall:

- (a) light, build, or stoke a fire or bonfire unless in a designated area established by the Municipality;
- (b) leave a fire unattended or leave the site of the fire before the fire is completely extinguished;
- (c) use any portable barbeque unless in a designated area established by the Municipality;
- (d) use a solid fuelled portable barbeque unless in a designated area established by the Municipality.
- (e) If using a propane barbeque, it must be set at least 10 feet from any combustible structures, objects, vegetation and overhanging branches of trees.

7.2 Organized Gatherings and Picnics

While in a park, no person shall:

- (a) hold a picnic, organized gathering or event for more than twenty-five persons without obtaining Municipal authorization ; or
- (b) hold a picnic, organized gathering or event for less than twenty-five persons without obtaining Municipal authorization when the event includes the sale or service of alcohol, serving food to the public, amplified sound over 85 decibels and/or structures or other more complicated elements.
- (c) interfere with a picnic, organized gathering or event authorized by the Municipality.

7.3 Amplifiers and Loud Speakers

While in a park no person shall:

- (a) operate loud speakers or sound amplification equipment while in a park over 85 decibels, unless authorized; or
- (b) operate, or use, any radio, tape player, compact disc player, car radio, or any other sound reproducing system in a manner which disturbs or interferes with other persons in or near the park.

7.4 Camping and Lodging

Unless authorized, no person shall dwell, camp, or lodge in a park.

7.5 Tents and Structures

Unless authorized, no person shall place, install, erect or park any temporary or permanent tent, shelter, structure, or trailer in any park.

7.6 Bathing, Swimming and Sun Bathing

No person shall swim, bathe, or wade in any fountain, pond, river or stream in any park, except in a designated area.

7.7 Skating

No person using a skating rink in a park shall:

- a) race or speed so as to endanger or interfere with any other person using the rink;
- b) carry a cane, stick or any other object that is, or is likely to be, dangerous to other persons on a rink, except such equipment as may be required for any sport or activity approved by the Director;
- c) use the rink during the preparation period; or
- d) fail to obey the instructions of a rink supervisor employed by the Township of Champlain or any other person appointed by the Director to oversee the operation and use of skating rinks.

SECTION 8 – GAMES SPORTS AND ORGANIZED ACTIVITIES

8.1 Organized Sports or Activities

While in a park, no person shall:

- (a) arrange or engage in an organized sport or activity, except in a designated area which has been posted; or
- (b) interfere with an organized sport or activity occurring within a designated area.

8.2 Golfing and Archery

While in a park, no person shall play or practise golf or archery except in a designated area.

8.3 Model Aircraft and Rockets

While in a park, no person shall operate powered models of aircraft, rockets, watercraft or vehicles unless authorized by permit.

8.4 Skiing, Tobogganing and Sledding

No person shall ski, toboggan, snowboard, skibob or sled in any area in any Park except in a designated area.

8.5 Roller Skates, Roller Blades and Skateboards

While in a park, no person shall:

- (a) operate or utilize roller skates, roller blades, in-line roller skates or other like conveyances where posted to prohibit or otherwise restrict the use of the same;
- (b) obstruct, inconvenience or endanger other users of the park while operating, or utilizing roller skates, roller blades, in-line roller skates or like conveyances.

8.6 Tennis / Pickle Ball

No person shall enter, walk, or play upon a designated area for tennis/pickle ball in any park except in accordance with the posted rules and regulations.

SECTION 9 – VEHICLES

9.1 Roadways

- (a) Council, or here such authority has been delegated to the Parks and Recreation Director or a Committee established by Council, is authorized to establish appropriate rules to regulate the use of park roadways.
- (b) Unless authorized by permit, and except as provided in respect of section 9.4 with respect to bicycles, no person shall, while in a Park, drive, operate, pull or ride any vehicle except on a roadway or parking area.

9.2 Parking

No person shall, in any Park:

- (a) park or leave a vehicle except in a designated area for parking;
- (b) park or leave a vehicle between the hours of 09:01 pm and 7:59 am, except in a designated area allowing for such overnight parking, or where authorized by permit;
- (c) stop or park a vehicle in a designated area for parking, except in a parking space and in accordance with posted conditions;
- (d) stop or park a vehicle in a designated disable parking space, unless a disabled person parking permit issued in accordance with the provisions of the *Highway Traffic Act*, R.S.O. 1990, c. H-8, as may be amended from time to time, is properly displayed on or in the vehicle.
- (e) use any parking space except while using the Park;

- (f) park in a designated fire route; or
- (g) park without the consent of the municipality.

9.3 Other Activities

No person shall make use of any roadway or designated area for parking in any park for:

- (a) washing, cleaning, servicing, maintaining or, except in the event of an emergency, the repair of any vehicle; or
- (b) instructing, teaching, or coaching any person in the driving or operation of a motor vehicle; or
- (c) playing of any games or sports.

9.4 Bicycles and Electric Bicycles

While in any park, no person shall:

- (a) ride, operate, or be in the possession of any bicycle where posted to prohibit same; or
- (b) obstruct, inconvenience or endanger other users of the Park while riding or operating a bicycle.

9.5 Motorized Recreational Vehicles

No person shall ride, drive, be in possession or control of, or leave a motorized recreational vehicle in any Park except in a designated area.

9.6 Trucks and Commercial Motor Vehicles

No person shall drive, operate, pull or ride in any park:

- (a) heavy machinery or equipment of any description and whatever the mode of power; or
- (b) any truck, trailer, or bus whatsoever except a vehicle that is being used for the purpose of making a delivery to a point within the limits of a Park while it is proceeding to or from such a point of delivery.

9.7 Speed

Unless authorized, while in a Park no person shall operate:

- (a) any vehicle on a roadway at a speed in excess of the posted limit; or
- (b) a bicycle other than on a roadway at a speed in excess of 10 kilometres per hour.

SECTION 10 – ANIMALS

10.1 Unless authorized, no person shall bring any animal into any Park, including a horse, or pony, except a domesticated animal which includes, but is not limited to, a dog or a cat.

10.2

(1) While in a Park, no person as owner or person having control of any dog or cat or other domesticated animal shall:

- (a) allow it to run at large, unless in designated areas;
- (b) excluding persons reliant upon a service animal, permit any dog, or cat, or other domesticated animal to enter any beach, pond, stream, river, swimming area, garden, landscaped area, playground or sports field, or any

- other area posted to prohibit same, or disturb any wildlife or damage any park resources;
 - (c) allow any animal on the sand or mulch (i.e. the L'Original beach), even when on a leash.
 - (2) While in a park, every person as owner or person having control of any dog, or cat or other domesticated animal shall:
 - (a) Ensure that it is on a leash when not running at large in a designated area; or
 - (b) Pick-up and remove forthwith excrement left by a dog, or cat, or other domesticated animal and dispose of it in a sanitary manner in a receptacle for litter or in some suitable container; and
 - (c) The provisions of subsection (2)(ii) do not apply to a person who has control of a service animal where it is being used to aid a person with a visual, hearing, or other impediment.
 - (3) Council may establish areas within any park as Leash Free Zones.
 - (4) While a dog or cat or other domesticated animal is in an area designated as a leash free zone as designated by Council, every person as owner or person having control of a dog, cat or other domesticated animal shall:
 - (a) Carry with him/her a leash;
 - (b) Immediately remove a dog, or cat or other domesticated animal that shows aggressiveness toward people or other dogs, or cats, or other domesticated animals or at the direction of a police officer, provincial offences officer, municipal law enforcement officer or employee of the municipality;
 - (c) Ensure that the dog, or cat, or other domesticated animal does not leave the designated area while off its leash; and
 - (d) Ensure that the dog, cat or other domesticated animal while in the designated area is under voice control and within visual site at all times.
- 10.3 No person as owner or person having control of a dog or cat or other domesticated animal shall bring in or permit such dog or cat or other domesticated animal to enter any Park if it may or does constitute a danger to other park users or is reasonably likely to frighten other park users and the owner and/or the person having control of the dog or cat or other domesticated animal has previously been advised by a police officer, provincial offences officer, municipal law enforcement officer or employee of the municipality to administer this By-law not to bring the dog, or cat or other domesticated animal into a park or has been convicted of an offence related to the conduct of the dog, or cat, or other domesticated animal under the *Dog Owners Liability Act*, R.S.O. 1990, c.D-16, or this By-law or any other municipal By-law.

SECTION 11 – WATERCRAFT

11.1 Boating

No person shall place, operate, drive or ride any watercraft in any Park in any area unless posted otherwise.

11.2 Mooring

- (1) Unless authorized, no person shall, subject to any right at law to do so, moor watercraft in any park:
 - (a) Except in a designated area;
 - (b) For a period longer than 48 hours, except in a marina authorized by Council, or as otherwise posted; or

- (c) Contrary to posted restrictions or prohibitions or in any way that may or does endanger or inconveniences other watercraft or their use or other users of the park.

(2) Notwithstanding anything in this section, motorized watercraft are only allowed to launch from the L'Original Marina or the L'Original Park (designated area), and otherwise they must be, at all times, at least 30 metres from the shoreline of any park or swimming areas.

SECTION 12 - COMMERCIAL ENTERPRISES

12.1 Sale of Merchandise, Trade or Business

(1) Unless authorized, no person shall, while in a park, sell or offer or display for sale:

- (a) any food, drink or refreshment;
- (b) any goods, wares, merchandise, or articles including promotional material souvenirs and novelties;
- (c) any flowers, fruits or vegetables; or
- (d) any art, skill, service, or work.

(2) Unless authorized, no person shall, while in a park, practise, carry on, conduct or solicit for any trade, occupation, business, profession or charity.

12.2 Filming and Videotaping

While in a park, no person shall take or permit to be taken for remuneration any film, photograph, videotape, or television broadcast unless;

- (a) authorized ; or
- (b) otherwise posted.

12.3 Circulars and Advertisements

Unless authorized, no person shall:

- (a) while in any Park, distribute, discard, or display any handbill, notice or other circular, bill or advertisement; or
- (b) post, nail, attach, stencil, or otherwise fasten or erect any poster, sign, notice, placard, or other circular, bill, advertisement or paper to any park property.

SECTION 13 - INDEMNIFICATION

13.1 The applicant for a permit to access any park shall indemnify and save harmless the Township of Champlain from any and all claims, demands, causes of action, losses, costs or damages that the Township of Champlain may suffer, incur or be liable for resulting from the use of the park, whether with or without negligence on the part of the applicant or the applicant's employees, directors, contractors and agents.

13.2 Permits issued to a permit holder under this by-law may be revoked by the Director if, in the opinion of the Director, the permit holder fails to comply with the requirements of the permits or any other provisions of the by-law.

SECTION 14- OBSTRUCTION

14.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.

14.2 Any person who has been alleged to have contravened any of the provisions of this by-law, shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of his/her duties.

SECTION 15- OFFENCES AND PENALTIES

15.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33.

15.2 Where a person has been convicted of an offence under this By-law:

- (a) the Ontario Court of Justice, or
- (b) any court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing or any act or thing by the person convicted directed towards the continuation or repetition of the offence.

15.3 Every person who acts in contravention of this By-law so as to cause the Township of Champlain to incur costs due to his or her actions shall, in addition to any penalty provided for herein, be liable to the Township of Champlain for all expenses incurred for the purpose of repairing or replacing damaged property or removing unauthorized materials, and such expenses may be recovered by court action or in a like manner as municipal taxes.

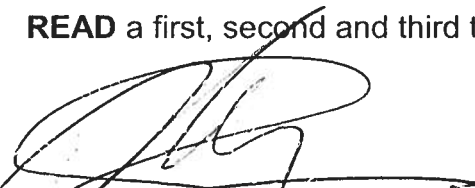
SECTION 16- SEVERABILITY AND ENACTMENT

16.1 If any court of competent jurisdiction declares any section or part of this by-law to be invalid, such section or part of a section thereof shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent there from and to be enacted as such and the remainder of the by-law shall be valid and shall remain in force.

16.2 This By-law repeals by-law No. 2018-43

16.3 This By-law shall come into force and effect upon being passed.

READ a first, second and third time, and duly adopted this 12th day of November, 2020.




Mayor **NORMAND RIOPEL**

Clerk **ALISON COLLARD**

I, Alison Collard, Clerk of the Township of Champlain, do hereby certify the foregoing to be a true copy of By-Law No. 2020-65 duly adopted by the Council of The Corporation of The Township of Champlain on the 12th day of November, 2020.

November 30, 2020
Date certified



Alison Collard, Clerk

CORPORATION OF THE TOWNSHIP OF CHAMPLAIN

**Part 1 Provincial Offences Act
By-Law Number 2020-65 - Parks By-Law**

SET FINES SCHEDULE

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE	
1	Enter or remain in park or recreation area outside of opening hours.	Section 5.2	\$75.00	<i>wvc</i>
2	Engage in riotous, boisterous, violent, threatening or illegal conduct or use profane or abusive language.	Section 6.1 (a)	\$75.00	<i>wvc</i>
3	Cast, throw or propel any object in such manner as may or does endanger or cause injury or damage to any person or property.	Section 6.1 (b)	\$75.00	<i>wvc</i>
4	Create a nuisance by loitering, spying, accosting, frightening, annoying or otherwise disturbing other persons.	Section 6.1 (c)	\$75.00	<i>wvc</i>
5	Create a nuisance or interfere with the use and enjoyment of the park by other persons.	Section 6.1 (d)	\$150.00	<i>wvc</i>
6	Enter a restricted area of a park.	Section 6.2	\$75.00	<i>wvc</i>
7	Deface, alter, write upon, destroy, otherwise damage or remove in any way real or personal property or equipment.	Section 6.3	\$75.00	<i>wvc</i>
8	Destroy or abuse trees, flowers, shrubs, plants, or park terrain.	Section 6.4	\$75.00	<i>wvc</i>
9	Fail to deposit garbage in a receptacle.	Section 6.5 (a)	\$75.00	<i>wvc</i>
10	Dispose or dump garden, household or commercial refuse in any park receptacle or in any other area of the Park.	Section 6.5 (b)	\$75.00	<i>wvc</i>
11	Dump, drain or discharge any toxic waste onto any soils, or into any waters within any.	Section 6.5 (c)	\$75.00	<i>wvc</i>
12	Consume from or use glass containers in any.	Section 6.6	\$75.00	<i>wvc</i>
13	Possess or use any firearm, torpedo, rocket of any type air gun, bow and arrow, axe or offensive weapon of any kind unless authorized by permit.	Section 6.7 (a)	\$75.00	<i>wvc</i>
14	Throw stones or strike a golf ball.	Section 6.7 (b)	\$75.00	<i>wvc</i>
15	Ignite, discharge or set off any fireworks unless authorized.	Section 6.7 (c)	\$75.00	
16	Enter or leave any park except by designated entrance ways or exits, or enter or attempt to enter any facility, area or building restricted from public access.	Section 6.8 (a)	\$75.00	<i>wvc</i>
17	Use any buildings, structure or equipment for any purpose other than that for which it is obviously intended.	Section 6.8 (b)	\$75.00	<i>wvc</i>
18	Remove or change the location of or disturb the setting of playground or any other equipment or chattels.	Section 6.8 (c)	\$75.00	<i>wvc</i>

19	Climb any building, structure or equipment, unless it is equipment designed for climbing.	Section 6.8 (d)	\$75.00	WVG
20	Cause to take place or participate in marriage ceremony except in a designated area and with permission.	Section 6.8 (e)	\$75.00	WVG
21	Use a metal detector in any park without permission.	Section 6.8 (f)	\$75.00	WVG
22	Consume, serve or sell alcoholic beverages without authorization.	Section 6.10	\$75.00	WVG
23	Encroach upon or take possession of any park.	Section 6.12	\$75.00	WVG
24	Light, build, or stoke a fire or bonfire unless in a designated area established by the Municipality.	Section 7.1 (a)	\$75.00	WVG
25	Leave a fire unattended or leave the site of the fire before the fire is completely extinguished.	Section 7.1 (b)	\$75.00	WVG
26	Use any portable barbeque unless in a designated area established by the Municipality.	Section 7.1 (c)	\$75.00	WVG
27	Use a solid fuelled portable barbeque unless in a designated area.	Section 7.1 (d)	\$75.00	WVG
28	Set propane barbeque closer than 10 feet from any combustible structures, objects, vegetation and overhanging branches of trees.	Section 7.1 (e)	\$75.00	WVG
29	Hold a picnic, organized gathering or event for more than twenty-five persons without authorization.	Section 7.2 (a)	\$75.00	WVG
30	Hold a picnic, organized gathering or event for less than twenty-five persons without authorization.	Section 7.2 (b)	\$75.00	WVG
31	Interfere with an authorized picnic, organized gathering or event.	Section 7.2 (c)	\$75.00	WVG
32	Operate loudspeakers or sound amplification equipment while in a park over 85 decibels.	Section 7.3 (a)	\$75.00	WVG
33	Operate, or use, any sound reproducing system in a manner which disturbs or interferes with other persons in or near the park.	Section 7.3 (b)	\$75.00	WVG
34	Place, install, erect or park any temporary or permanent tent, shelter, structure, or trailer in any park.	Section 7.5	\$75.00	WVG
35	Swim, bathe, or wade in any fountain, pond, river or stream, outside designated area.	Section 7.6	\$75.00	WVG
36	Fail to obey the instructions of a rink supervisor or any other person appointed to oversee the operation and use of skating rinks.	Section 7.7 (d)	\$75.00	WVG
37	Operate powered models of aircraft, rockets, watercraft or vehicles unless authorized by permit.	Section 8.3	\$75.00	WVG
38	Ski, toboggan, snowboard, skibob or sled in any area in any Park outside designated area.	Section 8.4	\$75.00	WVG
39	Operate or utilize roller skates, roller blades, in-line roller skates or other like conveyances where prohibited.	Section 8.5 (a)	\$75.00	WVG
40	Obstruct, inconvenience or endanger other users of the park while operating, or utilizing roller skates, roller blades, in-line roller skates or like conveyances.	Section 8.5 (b)	\$75.00	WVG

41	Drive, operate, pull or ride any vehicle except on a roadway or parking area.	Section 9.1 (b)	\$75.00	WVG
42	Ride, drive, be in possession or control of, or leave a motorized recreational vehicle in any Park except in a designated area.	Section 9.5	\$75.00	WVG
43	Bring any animal into any Park, including a horse or pony, except a domesticated animal.	Section 10.1	\$75.00	WVG
44	Allow any animal on the sand or mulch (i.e. the L'Original beach), even when on a leash.	Section 10.2(1)(c)	\$75.00	WVG
45	Operate, drive or ride any watercraft in any Park in any area unless posted otherwise.	Section 11.1	\$75.00	WVG
46	Sell or offer or display for sale any food, drink or refreshment; goods, wares, merchandise, or articles; any flowers, fruits or vegetables; or any art, skill, service, or work.	Section 12.1(1)	\$75.00	WVG
47	Practise, carry on, conduct or solicit for any trade, occupation, business, profession or charity while in a park.	Section 12.1(2)	\$75.00	WVG
48	Distribute, discard or display any handbill, notice or other circular, bill or advertisement or attach it in any way to any park property.	Section 12.3	\$75.00	WVG
NOTE: The general penalty provision for the offences listed above is Section 15 of the By-law, a certified copy of which has been filed.				

The fine amounts listed above are hereby set by the Regional Senior Justice for the East Region of the Ontario Court of Justice.

Dated: December 1, 2020.

Electronic Signature:



W. Vincent Clifford
Regional Senior Justice - Ontario Court of Justice / East Region