

CONSOLIDATED VERSION

This consolidation is prepared for convenience only; for accurate reference see by-laws as adopted by Council.

BY-LAW NUMBER 92-94

OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE

BEING A BY-LAW TO PROVIDE FOR THE USE, REGULATION, PROTECTION AND GOVERNMENT OF PARKS IN THE TOWNSHIP OF UXBRIDGE

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF UXBRIDGE ENACTS AS FOLLOWS:

1. In this By-law:
 - (a) "Municipality" means the Corporation of the Township of Uxbridge;
 - (b) "Park" means a property owned by the Municipality or leased or licenced to the Municipality, that is or hereafter may be established, dedicated, set apart or made available for use as a public park, including any and all buildings, structures, facilities, erections and improvements located in or on such property, for so long as the property is so established, dedicated, set apart or made available;
 - (c) "Posted Area" means an area where permissive, warning or prohibitory signs in respect of activities or uses that may be made of the park or property of the park in question are erected;
 - (d) "Municipal Law Enforcement Officer" means a person appointed by the Council of the Municipality to enforce this By-law and other By-laws of the Municipality.
2. The Parks and Park Buildings of the Municipality are for the benefit and pleasure of the public and every person shall use the said Parks and Park Buildings in accordance with the rules and regulations hereinafter set out in this By-law.
3.
 - (a) Subject to subparagraph (d) hereof, from the 1st day of April to the 30th day of September, inclusive, in each year, all Parks shall be closed from 10:00 p.m. to 7:00 a.m. in the forenoon and during the hours that the said Parks are closed, no person, save peace officers and Municipal employees in the course of their employment shall enter on or remain therein;
 - (b) Subject to subparagraph (d) hereof, from the 1st day of October until the 31st day of March, inclusive, in each year, all Parks shall be closed from 8:00 p.m. until 7:00 a.m. and during the hours that the said Parks are closed no person, save peace officers and Municipal employees in the course of their employment shall enter on or remain therein;
 - (c) Subject to subparagraph (d) hereof, Park Buildings, exclusive of the arena and Uxpool shall be closed from 2:00 a.m. to 6:00 a.m. in the forenoon and during the hours that the Park Buildings are closed, no person, save peace officers and Municipal employees in the course of their employment shall enter on or remain therein.

- (d) The Municipality may grant a permit on such terms as it shall consider appropriate for the safety and protection of the Park and Park Buildings and its occupants, to any person, persons, or organization to enter upon or remain in the one or more of the Parks, or Park Buildings, beyond the time specified in subparagraphs (a), (b) or (c) hereof, provided that upon the expiry of the time stipulated in such permit, no person shall enter on or remain in such Park or Park Buildings, save peace officers and Municipal employees in the course of their employment.
- (e) The Municipality, when deemed appropriate, may grant exemptions to any of the provisions of this By-law, which exemption shall be expressed by Council resolution

4. No person shall in any Park:

- (a) destroy, or cut, mark, break, dig, pull up, burn or in any way damage, injure, remove or deface:
 - (i) any tree, flower, flower bed, bush, shrub, plant, sod, grass or other vegetation, soil, sand, gravel or wood;
 - (ii) any wading pool, monument, fountain, bridge, fence, wall gate, roadway, pavement, parking area, sidewalk or other facility or improvement;
 - (iii) any building or other structure, or any appurtenance thereof, or
 - (iv) any swing, slide, playground, apparatus, table, seat, bench, sign, vase, or other fixture, equipment or personal property or ornament or utility, (located in or on any park of a park);
- (b) leave or deposit in or on any park any ashes, glass, plastic bottles, garbage or waste material of any kind whatsoever except in the receptacles provided for such purposes;
- (c) owning, in control of, providing protection, to or nurturing an animal, allow that animal to run at large in or on a park other than under control of a person and on a lead or rein no longer than two meters;
- (d) allow any animal under his control to enter any building, swimming pool, wading pool, fountain, stream, pond or water of any kind located in or on a park, provided that this paragraph does not apply to any case in which the animal in question either is under the control of a person who has lost his sight or is under the control of a person whose sight is so diminished that the person is significantly handicapped in making use of the park;
- (e) allow any animal under this control to defecate in or on any park and should such occur, shall promptly remove the excrement in a hygienic manner from the park or deposit it in a trash receptacle located in or on the park;
- (f) hunt, attempt to kill, kill, maim, molest, injure or harass any bird, animal or fish, provided that fish may be taken as allowed under applicable Provincial regulations;
- (g) destroy, damage or disturb the nest or den of any bird or animal, any fish while spawning or disrupt the stream bed while spawn are hatching;
- (h) allow any animal under his control to threaten or annoy users of a park or any portion thereof;

- (i) conduct himself in such manner as to be obnoxious or objectionable to other persons using the park, or use profane, indecent or abusive language while in or on park;

swim, wade or bathe in the waters of any fountain, stream or pond that is not a swimming or wading pool;
- (k) dress or undress in or on a park except in a place which is a posted area in which dressing or undressing is permitted;
- (l) being a male person enter any portion of a park reserved as a posted area for the exclusive use of female persons as washrooms or change or bath houses;
- (m) being a female person enter any portion of a park reserved as a posted area for the exclusive use of male persons as washrooms or change or bath houses;
- (n) who is not an employee of the Municipality or the Regional Municipality of Durham or under contract to the Municipality to do repair maintenance or security work in or on a park, ride, or drive any horse, motor vehicle, trailer or bicycle except upon the roadway on the park which is a posted area on which the operation of motor vehicles is permitted;
- (o) park a motor vehicle, trailer or bicycle in any location other than posted area in which the parking of motor vehicles, trailers or bicycles, as the case may be, is permitted;
- (p) park a motor vehicle, trailer or bicycle on any location in a posted area of a park referred to in paragraph (o), when the parks are closed in accordance with sub-paragraphs 3(a), (b), (c) and (d) hereof;
- (q) drive, park or walk upon newly seeded or sodded ground in a park or any portion of a park which is a posted area to which access to members of the public is prohibited on the ground that it is physically unfit for use by the public due to conditions caused by the weather or arising out of or related to park maintenance or construction or installation work on the park or portion thereof in question;
- (r) ride or operate a skateboard, scooter or other vehicle which lacks brakes in a portion of a park other than a posted area in which such riding or operation is permitted;
- (s) possess, carry or fire a bow and arrow, crossbow or a sling shot;
- (t) possess, carry or fire a rifle, shot gun, air rifle or mechanical rifle of any kind;
- (u) operate airplanes, vehicles or other toys by remote control radio except in a posted area in which such operation is permitted;
- (v) distribute or expose any kind of commercial circulation or advertisement or post, mail, attach, stencil or otherwise fasten or erect any poster, sign, notice, placard or other circular, bill advertisement or paper to any tree, bush, shrub, fence, building or structure;
- (w) engage in a game or activity using a bat, stick, ball or other projectile in a park or portion of a park other than in a posted area in which such game or activity is permitted;
- (x) play baseball, softball, football, soccer or cricket in a park or portion of a park except in a posted area in which such game is permitted by a permit issued by the Municipality;
- (y) interfere with a game or activity conducted pursuant to a permit issued by the Municipality or be present on the posted area reserved for such game while that game is in progress if not a participant in that game:

- (z) not having been issued a permit by the Municipality to do so, perform for any reward, any craft, skill, service or work or practice, carry on, conduct or solicit for any trade, occupation, business in a park or in any portion of a park;
- (aa) not having been issued a permit by the Municipality to do so, light, make, or build a fire in a park except in a fireplace located in a posted area in which a fire is permitted to be lit, made or built by the person who has been issued a permit by the Municipality to do so;
- (bb) enter into any game of chance, betting of any nature or kind whether for money or money's worth except where permitted by the Council of the Municipality by an amendment to this By-law and all the applicable laws;
- (cc) not having been issued a permit to do so by the Municipality, conduct a picnic for more than twenty-five persons;
- (dd) not having been issued a permit to do so by the Municipality to make any film, videotape production or television broadcast;
- (ee) not having been issued a permit to do so by the Municipality, use a public address system, loud speakers or hailers;
- (ff) smoke in any building or part thereof which is a posted area in which smoking is prohibited;
- (gg) perform repairs to or maintenance of a motor vehicle in a park or a portion of a park;
- (hh) except in the circumstances referred to in paragraph 2 (w), throw or in any way propel any stone or other missile or projectile in such a manner as may cause injury or damage to or endanger any other person or property in a park or to interfere with the use and enjoyment of the park by any other person:
- (ii) camp or erect or place a tent for habitation or temporary abode of any kind;
- (jj) feed any geese, ducks and other waterfowl;
- (kk) play music or radios in too loud a manner so as to disrupt other users of the park or neighbouring properties.
- (ll) use tennis courts for any purpose other than the playing of tennis.

5. No person shall sell refreshments or tobacco or any other merchandise in any park or park building.

- (a) Or take money for or operate any games, shows, or amusements, or take and sell photographs, or solicit or accept money, or orders, for the sale of photographs or operate any business whatever with the purpose of making profit within the limits of the said Parks, without first having obtained a licence in writing from the Municipality to do so;
- (b) Any person desiring a licence for the selling of refreshments or tobacco, or any other merchandise or for the operation of games, shows, or amusements, or the taking and selling of photographs or soliciting or accepting money or orders for the sale of photographs or the operation of any business whatsoever, with the purpose of making a profit in the said park, must make application therefore in writing to the Municipality who may grant the licence asked for, upon such terms and subject to such conditions as it may see fit to impose, or may, if it sees fit so to do, refuse to grant the licence asked for and every licence issued under the authority of this By-law unless expressed to be for a shorter or longer period, and unless same shall be forfeited shall be only for the calendar year current at the time of the issuing

thereof.

(c) Every person to whom a licence shall be issued under the authority of this By-law shall produce the same whenever it may be demanded by the Municipality or any member of the Durham Regional Police Service, or other person duly authorized for the purpose of the Township.

(d) No licence shall have any force or effect until the licence fee payable in respect thereof shall have been paid to the Municipality and a receipt therefor written therein, or endorsed thereon.

6. The Municipality may at any time when it is deemed advisable to do so, close to the public any park or any portion of any park, or any building in any park, and may require the payment of a fee by any person desiring to enter any such park or building and no person shall enter any park or any portion of any park, or any building in any park, so closed, without first paying the fee for admission, to a person duly authorized by the Municipality for the collection of such fee.
7. Any person who contravenes any provision of this By-law is guilty of an offence and liable upon conviction therefor to a fine of not more than two thousand (\$2,000.00) dollars and/or imprisonment.
8. That By-law No. 80-29 passed on the 30th day of May, 1980, is hereby repealed.