

The Town of Millet Parks Bylaw

Bylaw 2009/06

Whereas, Pursuant to the provisions of Part 2, Division 1, Section 7, of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws for the purpose of promoting the safety, health, and welfare of people and the protection of people and property.

NOW THEREFORE, the Council of The Town of Millet, duly assembled enacts as follows;

This Bylaw may be cited as the Parks Bylaw

PART 1 – PURPOSE, DEFINITIONS AND INTERPRETATION

PURPOSE The purpose of this Bylaw is to regulate the conduct and activities of people in parks to promote the safe, enjoyable and reasonable use of such property for the benefit of all citizens of the Town of Millet.

PART I – DEFINITIONS

In this Bylaw:

- 1
Council** “Council” means the Council of The Town of Millet.
- 2
CAO** “CAO” means the Chief Administrative Officer of the Town of Millet
- 3
Dog** “Dog” means either the male or female of any domesticated canine species.
- 4
Employee** “Employee” means any person employed by the Town of Millet
- 5
Horse** “Horse” means either the male or female of any domesticated equine mammal
- 6
Motor vehicle** “Motor vehicle” means a vehicle powered by any power other than muscle power, or a moped, but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry or a motor vehicle that runs only on rails.
- 7
Operator** “Operator” means a person who drives or is in actual physical control of a vehicle.
- 8
Parkland** “Parkland” means every recreational area, Municipal Reserve and Public Utility Lots, owned or controlled by the Town of Millet, which lie within the corporate limits of the Town, whether such parkland is improved in whole or in

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part, or remains in its natural state but shall include other neighborhood beautifications areas and public maintained areas that are administered by the Town. Parkland also includes the area in the limits of the Town west of the rail tracks and east of Highway 2A. (50 St.)

9

Peace Officer

“Peace Officer” means any member of the RCMP, a Community Peace Officer, a Police Officer or a Bylaw Enforcement Officer appointed by the Town of Millet.

10

Person

“Person” includes an individual, corporation, firm, partnership, association or body corporate.

11

Public facilities

“Public Facilities” means such buildings as arenas, bathhouses, public comfort stations, swimming pools, water parks, community buildings or any buildings used for recreation or cultural activities, owned or under control of the Town of Millet.

12

Structures

“Structures” means every erection such as backstops, fences, bleachers, playground equipment, trees, shrubs, playing fields and anything incidental to their use.

13

Town

“Town” means the Town of Millet.

14

Vegetation

“Vegetation” includes all trees, shrubs, plants, flowers and grass, or all ground cover, whether it is in its wild or natural state, or has been planted.

INTERPERTATIONS

The marginal notes and headings in this Bylaw are for reference purposes only.

PART 2 – OFFENCES – PARKS

201

Weapons or fireworks

No person, while in a park or on parkland shall carry or discharge any firearm, fireworks, airgun, sling shot, catapult or other weapon.

202

Hand bills

No person shall distribute any hand bills or circular, nor post, place or display any placard, notice, paper, advertising device or publicity matter of any kind, without having the written permission of the CAO or their designate, except such notices that are erected by Town departments dealing with

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recreation, traffic control, public health or park safety.

203

Building or shelter

No person shall erect, build or locate, or permit the erection, building or locating in any park, of any trailer, shelter or other building or tent or other shelter without the written consent of the CAO of the Town or their designate.

204

Groups

No procession, drill, parade, political or other public meeting, except when organized or approved by the CAO or their designate, shall be held in any park.

205

Drive or park

No person other than Town authorized person shall park or drive any motor vehicle on parkland or in a park.

206

Litter

No person shall deposit or place in a Park any paper, cardboard, food, refuse, tins, bottles, glass or any refuse of any kind likely to prove offensive, injurious or unsightly to any user of the Park unless such material is placed in receptacles provided for the purpose of collecting such materials.

207

Plant vegetation

No person shall place or plant any tree, shrub or vegetation on any parkland without first obtaining written permission from the CAO the Town of Millet or their designate.

208

Damage vegetation

No person shall destroy, remove, otherwise interfere with or use for a purpose not intended, any vegetation in a Park.

209

Dangerous game

No person shall play any game or engage in any recreation within a park that is considered dangerous to persons using the park or adjacent properties.

210

Interfering

No person shall engage in any activity that interferes, annoys or disrupts other users of the park.

211

Horse

No person shall ride or bring a horse into a Park.

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- Dogs** No person shall bring or have in a Park any dog where a sign prohibits dogs.
- 213
Animals** No person shall tease, molest or injure any mammal, bird, amphibian or reptile nor throw any substance at or near such creatures in a Park in such a way to cause them alarm or possible injury nor feed such animals.
- 214
Risk** Persons using any structure, parkland or public facility do so at their own risk and the Town does not warrant such areas to be safe for use at all times.
- 215
Closure of Park** The Town of Millet, or the CAO or their designate, shall have the right to close any parkland or public facility or structure by posting signs, and such signs shall be sufficient notice that no person is permitted to use the aforementioned.
- 216
Excluding persons** Any employee of the Town or any person authorized by the CAO or their designate, may exclude any person from any park or recreation area whose conduct is considered undesirable.
- 217
Refusal to leave** Any person who refuses to leave a Park or Recreation area pursuant to Section 215 is guilty of an offence. Such person can be removed from a Park.

PART III – FIRES

- 301
FIRES PROHIBITED** No person shall start a fire in a park unless authorized to do so by the CAO of the Town of Millet or their designate.

PART IV – ENFORCEMENT

- 401
Violation tickets** A Peace Officer is hereby authorized and empowered to issue a violation ticket, pursuant to the Provincial Offences Procedure Act, to any person who the Peace Officer believes on reasonable and probable grounds has contravened any section of this Bylaw.

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402

Voluntary payment

Any person to whom a violation ticket has been issued may make the voluntary payment, if one is offered, in respect of the violation ticket by delivering the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw.

403

Mandatory appearance

A Peace Officer who believes that the breach of any section in this Bylaw is of such a serious nature he/she may issue an offender with a violation ticket compelling the offender's appearance in court.

403

Penalties

A Provincial Court Judge or Justice of the Peace may set a penalty higher than the specified penalty in this Bylaw.

404

Defending offence

Notwithstanding the provisions of this Bylaw any person who has been issued a violation ticket pursuant to any section of this Bylaw may exercise his/her right to defend any charge of committing a contravention of any provision of this Bylaw.

405

Service

A person issued a violation ticket for an offence shall be deemed sufficiently and properly served:
(i) if served personally on the accused

(ii) if mailed to the address of the person who has contravened this Bylaw.

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SCHEDULE "A" VIOLATIONS AND PENALTIES

PART II - OFFENCES

201	Discharge firearms fireworks etc	\$	250.00
202	Distribute material in a park	\$	100.00
203	Erect building, trailer or tent	\$	100.00
204	Public meeting in Park	\$	100.00
205	Drive or park a MV in a park	\$	200.00
206	Littering	\$	100.00
207	Plant vegetation	\$	100.00
208	Damage Vegetation	\$	100.00
209	Dangerous Game	\$	50.00
210	Interfering with others	\$	50.00
211	Horse in a Park	\$	100.00
212	Dog in Park	\$	50.00
213	Molest animals	\$	50.00
217	Refuse to leave a park	\$	200.00

PART III – FIRES

301	Start a fire in a Park	\$	100.00
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