

CITY OF ST. ALBERT

CONSOLIDATION OF BYLAW NO. 19/65

(Consolidated by Bylaw 12/2004)

Being a Bylaw to provide for the protection of Parks and
to regulate the conduct of persons therein.

1. In this bylaw:
 - (a) "City" means the municipal corporation of the City of St. Albert or, where the context so requires, the area contained within the boundaries of the City;
 - (b) "City Manager" means the City's chief administrative officer;
 - (c) "designated trail" means any primary, secondary or tertiary trail that forms any part of the City's Red Willow Trail system;
 - (d) "municipal violation tag" means a City-issued notice that alleges a Bylaw offence and provides a person with the opportunity to pay an amount to the City in lieu of prosecution for the offence;
 - (e) "park" means any developed or undeveloped property that is owned, controlled or maintained by the City, is intended to be used by members of the public for recreation purposes; and is
 - i. preserved as a natural area;
 - ii. designated or districted as park or park corridor land;
 - iii. dedicated as municipal reserve, environmental reserve or a public utility lot property pursuant to the *Municipal Government Act*; or
 - iv. a boulevard contiguous with, partially within or fully within the property referenced under subsections (i), (ii) or (iii);
 - (f) "peace officer" is as defined in the *Provincial Offences Procedures Act* RSA 2000 cP-34 (and any amending or succeeding legislation); and
 - (g) "violation ticket" is as defined in the *Provincial Offences Procedures Act* RSA 2000 cP-34 (and any amending or succeeding legislation).

(BL 12/2004)

2. Unless authorized by the City or acting in accordance with their duties as City employees, no persons while in the confines of a park shall: **(BL12/2004)**
 - (a) Throw or leave any paper, cardboard, food, refuse or tins, bottles or glass, clay, rock, gravel, cinders, shavings, wood scraps, iron or metal scraps, trade waste, house refuse, or any matter of any kind likely to prove offensive, injurious or unsightly. All such matters shall either be placed in receptacles provided in the park for that purpose or shall be carried away from the park for disposal by the person having such matter in his possession.
 - (b) Discharge any gun or other firearm, or fire or set off any fire ball, squib, cracker or firework.

- (c) Climb, deface, break or cut down any tree.
 - (d) Start any fire or permit any person under his control to start any fire except in fireplaces provided for that purpose.
 - (e) Permit any livestock or domestic animal to run at large, provided further that any dog within a park shall be under the complete control of a dog handler. **(BL 39/98)**
 - (f) Walk upon any lawn, grass plot or garden where signs are posted prohibiting persons from so doing.
 - (g) Transport goods or chattels over or place or leave chattels in any park unless the turf of such park is first protected from damage.
 - (h) Park any vehicle except in those areas designated or regularly used for that purpose.
 - (i) Drive any vehicle elsewhere than on the roadway provided for vehicles.
 - (j) Ride or drive any horse or other animal other than on the roadway or driveway provided for such purpose, nor ride or drive any horse or other animal on any path or roadway designated as being for pedestrian traffic only.
- 2.1 (1) No person shall enter or be in a park
- (a) between the hours of 11:00 p.m. and 5:00 a.m.; or
 - (b) at any time when the park is closed to the public,
- without the permission of the City Manager or his designate.
- (2) Subsection (1) shall not apply to a person traveling along a designated trail within a park.
- (BL12/2004)**
3. Wherever the masculine or singular is used herein, it shall import the feminine or the plural as the circumstances may require.
4. Any person who contravenes any provision of this bylaw is guilty of an offence. **(BL12/2004)**
5. In the case of an offence that is of a continuing nature, a contravention of a provision of this bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such separate offence. **(BL12/2004)**
6. A person who is guilty of an offence under this bylaw is liable:
- (a) to a specified fine of \$100.00; or
 - (b) on summary conviction, to a fine not exceeding \$10,000.00 or to an order of imprisonment for not more than one (1) year, or both.
- (BL12/2004)**

7. (1) A peace officer may issue, with respect to an offence under this bylaw, a municipal violation tag specifying the fine amount established by this bylaw.
(2) Where a municipal violation tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

(BL12/2004)

8. (1) A peace officer may issue, with respect to an offence under this bylaw, a violation ticket:
 - (a) specifying the fine amount established by this bylaw; or
 - (b) requiring an appearance in court without the option of making a voluntary payment.(2) Where a violation ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

(BL12/2004)

9. Without restricting any other power, duty or function granted by this bylaw, the City Manager may:
 - (a) carry out whatever inspections are reasonably required to determine compliance with this bylaw; and
 - (b) delegate any powers, duties and functions under this bylaw to a City employee.

(BL12/2004)

10. A copy of a record of the City, certified by the City Manager as a true copy of the original, shall be admitted in evidence as *prima facie* proof of the facts stated in the record without proof of the appointment or signature of the person signing it. (BL12/2004)