

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 2173

A bylaw of the Regional District of Central Kootenay to
make rules and regulations governing the use,
management, improvement, operation and control of
RDCK Parks.

CONSOLIDATED FOR CONVENIENCE ONLY AND HAS NO LEGAL SANCTION

Park Regulation Amendment Bylaw No. 2564, 2017 and
previous amendments are included in this consolidated version of the bylaw.

LIST OF AMENDMENTS TO Official Park Regulation Bylaw No. 2173, 2011 UP TO (see date at bottom of last page of amendments) WHICH ARE INCLUDED IN THIS CONSOLIDATED VERSION OF THE BYLAW

Bylaw No.	Date	Amendment	Purpose
2273	February 16, 2012	<ul style="list-style-type: none"> Schedule "A" deleted in its entirety and substituted. Schedule "D" deleted in its entirety and substituted. Schedule "E" amended. 	Schedule "A", "D" and "E" were amended to: <ul style="list-style-type: none"> <u>Add</u> Waterloo Eddy Regional Park. <u>Add</u> Balfour Beach Regional Park. <u>Remove</u> Arrow Creek Regional Park.
Schedule A Changes: <u>DELETED</u> RDCK REGIONAL PARKS USE/ACTIVITY MATRIX and substituted with new RDCK REGIONAL PARKS USE/ACTIVITY MATRIX that includes: <ul style="list-style-type: none"> <u>ADDING</u> - "Waterloo Eddy Located on the eastern shores of Columbia River owned by the Province of BC. Popular recreation destination and staging area used by local residents for day-use recreation opportunities including boating, fishing, hiking, swimming, picnicking and interpretation. Managed by the Castlegar & District Recreation Commission. <u>ADDING</u> - "Balfour Beach Located at the confluence of Kootenay Lake and the West Arm the park is owned by the Province of BC, primarily used by local residents for day-use public recreation opportunities, including boating, swimming, walking, beachcombing and nature appreciation. Managed by the Nelson, Salmo, E, F G Regional Parks Commission." <u>DELETING</u> - "Arrow Creek Community Park." 			
Schedule D Changes: <u>DELETED</u> RDCK REGIONAL PARKS OVERVIEW MAP and substituted with new RDCK REGIONAL PARKS OVERVIEW MAP that includes: <ul style="list-style-type: none"> <u>ADDING</u> - Waterloo Eddy Regional Park. <u>ADDING</u> - Balfour Beach Regional Park; and <u>DELETING</u> - Arrow Creek Community Park. 			
Schedule E Changes: <u>AMENDED</u> RDCK Regional Park Maps to include: <ul style="list-style-type: none"> <u>ADDING</u> - Waterloo Eddy Regional Park map. <u>ADDING</u> - Balfour Beach Regional Park map; and <u>DELETING</u> - Arrow Creek Community Park map. 			
Bylaw No.	Date	Amendment	Purpose
2412	July 17, 2014	<ul style="list-style-type: none"> Park Regulation Bylaw amended. 	Park Regulation Bylaw amended to: <ul style="list-style-type: none"> <u>Add</u> subsections 48-52 under section titled "Watercraft".
Park Regulation Bylaw Changes: <u>AMENDED</u> the Park Regulation Bylaw by inserting the following under that section titled "Watercraft": <ul style="list-style-type: none"> <u>ADD</u> - 48. No overnight moorage is permitted unless prior written approval has been granted by the Regional District of Central Kootenay. <u>ADD</u> - 49. Owners/operators of watercraft that is moored overnight and without approval from the Regional District of Central Kootenay shall be issued a ticket. <u>ADD</u> - 50. Should watercraft be towed by the Regional District of Central Kootenay, the registered owner of the watercraft will be responsible for paying any towing and storage charges. <u>ADD</u> - 51. No person shall throw rubbish overboard or leave rubbish on moorage. <u>ADD</u> - 52. All persons using moorage will do so at their own risk. 			

Bylaw No.	Date	Amendment	Purpose
2564	July 20, 2017	<ul style="list-style-type: none"> • Park Regulation Bylaw amended. • Schedule “A” deleted in its entirety and substituted. • Schedule “D” deleted in its entirety and substituted. • Schedule “E” deleted in its entirety and substituted. 	<p>Park Regulation Bylaw amended to:</p> <ul style="list-style-type: none"> • <u>Add</u> definitions under section titled “Interpretation”. • <u>Amend</u> subsections 45, 46 & 48 under section titled “Regulations Governing Park Use”. • <u>Delete</u> subsections 49, 50 & 51 and renumber subsequent sections accordingly. <p>Schedule “A”, “D” and “E” were amended to:</p> <ul style="list-style-type: none"> • <u>Add</u> Crescent Valley Beach Regional Park. • <u>Add</u> McDonalds Landing Regional Park, • <u>Add</u> Morning Mountain Regional Park. • <u>Delete</u> Kaslo Waterfront Trail Regional Park.
<p>Park Regulation Bylaw Changes:</p> <p><u>AMENDED</u> the Park Regulation Bylaw by inserting the following definitions under that section titled "Interpretation":</p> <ul style="list-style-type: none"> • <u>ADD</u> - “Moor” or “Moored” means to station or store any watercraft. • <u>ADD</u> - “Watercraft” means a canoe, boat, kayak or any other vessel or craft used, or capable of being used, for navigation on water. <p><u>AMENDED</u> the Park Regulation Bylaw by amending the following sub-sections under that section titled “Regulations Governing Park Use”:</p> <ul style="list-style-type: none"> • <u>AMEND</u> - 45. No person shall <i>moor</i> a <i>Watercraft</i> in a park, except when loading or unloading the <i>Watercraft</i> and in either such case for not longer than ten minutes. • <u>AMEND</u> - 46. Any <i>Watercraft moored</i> in violation of this bylaw may be removed and impounded, and the owner of the <i>Watercraft</i> shall pay the cost of removal and impoundment before the <i>Watercraft</i> is returned to the said owner. • <u>AMEND</u> - 48. Every person who brings a <i>Watercraft</i> into a park shall remove the <i>Watercraft</i> from the park by 10:00 p.m., unless the <i>Watercraft</i> is <i>parked</i> at a <i>Campground</i> in accordance with this Bylaw, or unless permitted by RDCK Authorized Personnel. <p>further, delete the following sub-sections:</p> <ul style="list-style-type: none"> • <u>DELETE</u> – 49. No overnight moorage is permitted unless prior written approval has been granted by the Regional District of Central Kootenay. • <u>DELETE</u> – 50. Owners/operators of watercraft that is moored overnight and without approval from the Regional District of Central Kootenay shall be issued a ticket. • <u>DELETE</u> – 51. Should watercraft be towed by the Regional District of Central Kootenay, the registered owner of the watercraft will be responsible for paying any towing and storage charges. <p>And further, renumber the following sub-sections:</p> <ul style="list-style-type: none"> • <u>AMEND</u> – 49. No person shall throw rubbish overboard or leave rubbish on moorage. • <u>AMEND</u> – 50. All persons using moorage will do so at their own risk. 			
<p>Schedule A Changes:</p> <p><u>DELETE</u> RDCK REGIONAL PARKS USE/ACTIVITY MATRIX and substitute with new RDCK PARK REGULATION MATRIX that includes:</p> <ul style="list-style-type: none"> • <u>ADDING</u> - “Crescent Valley Beach Regional Park”. • <u>ADDING</u> – “McDonalds Landing Regional Park”. • <u>ADDING</u> – “Morning Mountain Regional Park”. • <u>DELETE</u> – “Kaslo Waterfront Trail Regional Park”. 			

Schedule D Changes:

DELETE RDCK REGIONAL PARKS OVERVIEW MAP and substitute with new RDCK REGIONAL PARKS OVERVIEW MAP that includes:

- ADDING - “Crescent Valley Beach Regional Park”;
- ADDING – “McDonalds Landing Regional Park”;
- ADDING – “Morning Mountain Regional Park”; and
- DELETING – “Kaslo Waterfront Trail Regional Park”

Schedule E Changes:

AMENDED RDCK Regional Park Maps to include:

- ADDING – Crescent Valley Beach Regional Park map.
- ADDING – McDonalds Landing Regional Park map;
- ADDING – Morning Mountain Regional Park map; and
- DELETING – Kaslo Waterfront Trail Regional Park map.

UPDATED AUGUST, 2017

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 2173

A bylaw of the Regional District of Central Kootenay to make rules and regulations governing the use, management, improvement, operation and control of the RDCK Parks.

WHEREAS by Supplementary Letters Patent dated June 3, 1966, the Regional District of Central Kootenay is empowered to acquire, develop, operate and maintain Regional Parks;

AND WHEREAS the Regional District of Central Kootenay by Bylaw Nos. 1909, 1928, 872, 2004, 874, 875 and 876, being the:

“Castlegar and District Regional Facilities, Recreation, Parks and Leisure Service Amendment Bylaw No. 1909, 2007”;

“Electoral Area A Regional Parks Service Establishment Bylaw No. 1928, 2007”;

“Creston, Electoral Area A, Electoral Area B and Electoral Area C Regional Parks Extended Service Area Bylaw No. 872, 1991”;

Kaslo and Area Regional Facilities, Recreation, and Parks Service Area Amendment Bylaw No. 2004, 2008”;

“Nelson, Salmo, Electoral Area E, Electoral Area F and Electoral Area G Regional Parks Extended Service Area Bylaw No. 874, 1991”;

“Slocan, Silverton, New Denver and Electoral Area H Regional Parks Extended Service Area Bylaw No. 875, 1991”;

“Nakusp and Electoral Area K Regional Parks Extended Service Area Bylaw No. 876, 1991”;

“RDCK Official Regional Parks Plan Bylaw No. 2044, 2009”

respectively, has established services for the purpose of providing regional parks;

AND WHEREAS the *Board* of the Regional District of Central Kootenay deems it expedient to adopt a Park Rules and Regulation Bylaw to make rules and regulations governing the use, management, improvement, operation and control of Regional District Parks;

NOW THEREFORE the *Board* of the Regional District of Central Kootenay in open meeting assembled enacts as follows:

READ A FIRST AND SECOND TIME on the 10th day of February, 2011.

READ A THIRD TIME on the 10th day of March, 2011.

ADOPTED this 10th day of March, 2011.

Chair

General Manager of Corporate
Administration

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2173 cited as the "Regional District of Central Kootenay Park Regulation Bylaw No. 2173, 2011", as read a Third time by the Regional Board on this 10th day of March, 2011.

Dated at Nelson, BC this 10th day of March, 2011.

Secretary

I hereby certify that this is a true and correct copy of the Regional District of Central Kootenay Park Regulation Bylaw No. 2173, 2011.

DATED at Nelson, B.C. this 10th day of March, 2011.

Secretary

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TITLE

1. This Bylaw may be cited as the “Regional District of Central Kootenay Park Regulation Bylaw No. 2173, 2011”.

INTERPRETATION

2. In this bylaw, unless the context otherwise requires:

“Authorized Personnel” means designated appointees of the RDCK Parks and Recreation department, and persons having a contract with the RDCK pertaining to the operation or administration of parks.

“Beach Area” means any regional park land adjacent to a body of water designated for public swimming, extending approximately 30 metres back from an established high water mark.

“Board” means the Board of the RDCK.

“Camping” means to occupy a campsite, to set up a tent or other shelter or to remain overnight.

“Campground” means an area in a park containing one or more campsites and designated as a campground.

“Commercial activity” means the sale or rental of goods or services.

“Bicycle” means any self-propelled wheeled vehicle including a bicycle, mountain bike and tricycle; but excluding a wheel chair.

“Day Use Area” means a park, or any area of a park, designated for day time use only, and includes all boat launches located within any park.

“Firearm” includes a rifle, shotgun, handgun, spring gun or any other device that propels a projectile by means of an explosion, compressed gas or spring, but does not include a longbow or crossbow.

“Fireworks” means devices that explode or burn to produce visual or sound effects and such other explosive as may be designated as such by the Lieutenant-Governor under the provision of the *Fireworks Act* of BC or under the provision of the *Canadian Explosives Act* and its regulations, as the case may be, but does not include torpedoes, flares, fuses or similar pyrotechnic devices used by motorists, railroads, police or other agencies for signalling purposes or illumination.

“Litter” includes garbage, refuse, rubbish or trash of any kind, including a container, package, bottle or can or any part thereof.

“Moor” or “Moored” means to station or store any watercraft.

“Natural Boundary” means the visible high watermark of any lake, river, watercourse, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, watercourse, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself. In addition, the natural boundary includes the best estimate of the edge of dormant or old side channels and marsh areas.

“Parking” or “parked” means to station any vehicle.

“Parking Area” means an area within a park that is designated for use as public parking.

“Regional District” means the Regional District of Central Kootenay or RDCK.

“Regional District Park” means any property that:

- i. the regional district has possession and control of pursuant to sections 904 and 941 of the Local Government Act;
- ii. for the purposes of park, the regional district holds in fee simple, by lease, license, permit, covenant, statutory right-of-way, easement, or occupancy or access agreement;
- iii. the regional district acquires possession or control of for the purposes of park, subsequent to the enactment of this bylaw; and,
- iv. includes property commonly referred to as regional park, community park, community recreation park, marine park, nature park, wildlife corridor, forest, greenway, ecological reserve, conservation area, marsh, beach access and boat ramp.

“Regional District Trail” is a Regional district park, and means any Regional district designated and maintained path or trail.

“Special use” means any service, activity or event which attracts or requires participants or spectators, and includes, but is not restricted to, a festival, sport competition, tournament, group training or group lesson, regatta, animal show, fishing derby, orienteering, operation of a model airplane, model boat or model car and television or motion picture filming.

“Under control” means a leashed or unleashed animal is under control when it meets all of the following:

- i. it is on a travelled surface of trail and within 10 m (30 feet) of the person who has care and control of it; and
- ii. it immediately returns when called by the person who is caring and in control of it; and
- iii. it is not molesting, harassing, or attacking any person or animal.

“Watercraft” means a canoe, boat, kayak or any other vessel or craft used, or capable of being used, for navigation on water.

JURISDICTION

3. This bylaw is applicable to and enforceable within all Electoral Areas of the RDCK, and within all Regional Parks within municipal boundaries under the jurisdiction of the RDCK.

RESPONSIBILITY

4. The Corporate Administrator, General Manager of Community Services, Bylaw Enforcement Officer or *Authorized personnel* of the RDCK, agents of the RDCK are authorized to administer this bylaw.
5. The Corporate Administrator, General Manager of Community Services, Bylaw Enforcement Officer or *Authorized personnel* of the RDCK, agents of the RDCK and members of the Royal Canadian Mounted Police (RCMP) are authorized to enforce the provisions of this bylaw.

REGIONAL DISTRICT PARKS

6. The properties that are identified in Schedules A, D and E to this bylaw are Regional District or RDCK parks.

REGULATIONS GOVERNING PARK USE

The regulations governing park use are outlined in the sections below of this bylaw and in Schedule A attached to and forming part of this bylaw.

Where there is discrepancy between this bylaw and either on-site park signage or an adopted park management plan, the later shall take precedence.

HOURS OF OPERATION

7. All RDCK parks shall be closed to use between the hours of 11:00 pm and 5:00 am the following morning unless otherwise designated in a park management plan, or other authorized agreement.

AUTHORIZED PERSONNEL

8. The RDCK General Manager of Community Services is authorized to make exceptions to any provision in this Regulation Bylaw.
9. RDCK *Authorized personnel* may from time to time do the following in relation to designated RDCK parks:
 - a. designate areas for climbing, walking, cycling, skating, games, swimming, boating or other activities of the public;
 - b. designate areas where specific recreational activities are permitted or prohibited;
 - c. designate areas for vehicle travel and stopping;
 - d. designate public *Parking Areas*;
 - e. designate areas at which persons must access watercourses and water bodies;
 - f. designate areas for the protection of grass and grounds;
 - g. designate areas for horseback riding;
 - h. designate areas as *Campgrounds* and campsites, and may limit the number of persons and camping units per campsite;
 - i. designate areas for fire pits and barbeque fireplaces;
 - j. designate areas that are closed for the protection of vegetation or wildlife, or for public safety purposes;
 - k. establish kiosks and notice boards for the posting of notices;
 - l. establish a park or part of a park as an off leash area for domestic animals;
 - m. establish parks or parts of parks, and hours, where domestic animals are restricted;
 - n. establish hours for the daily opening and closing of parks or parts of parks;

- o. establish hours for the daily opening and closing of parks or park facilities and temporarily extend the set hours of a park/facility to accommodate:
 - i. a special event, such as a statutory holiday celebration;
 - ii. an organized gathering; or
 - iii. an organized sport or activity;
 - p. limit the length of stay of a person in a park, including to a greater extent than otherwise be provided elsewhere in this Bylaw;
 - q. for reasons of safety and convenience, close any park road, trail, or other area in an RDCK park to public use;
 - r. limit the speed, weight, size, type, or number of motor vehicles operated by the public in a Regional park;
 - s. temporarily or on an ongoing basis, limit the number of persons, vehicles or watercrafts in a park or any part of a park;
 - t. temporarily close any part of a park to public use for the purposes of construction, maintenance, repairs, removal of hazards, preventing overcrowding, special events, organized gatherings, organized sports or activities or any other reasonable cause;
 - u. temporarily close any park or portion of a park to the public to enable the use of the park or portion by persons holding a park use permit;
 - v. review applications for park use permits and issue park use permits;
 - w. collect fees imposed respecting the use of any park or park facility;
 - x. post signs, including to identify areas designated pursuant to this section;
 - y. make incidental park rules and regulations not inconsistent with this Bylaw; and
 - z. permit such uses or activities as may be considered necessary or desirable for the development or maintenance of any park or park facility.
10. No person shall affix notices or signs within designated parks, or disobey any authorized park sign, or violate any parks rule or regulation established under this Bylaw, unless specifically authorized by RDCK Authorized Personnel.

DOMESTIC ANIMALS

11. No person shall ride, lead, or have charge of, any horse or other riding animal in a park except on the multi use trails designated in Schedule A
12. No person shall cause or permit any animal owned by him or in his control to be or remain at large in a park.
13. Anyone entering a park with a dog(s) shall:
 - a. Keep the dog(s) *Under control* at all times;
 - b. Keep the dog(s) leashed within those parks designated in Schedule A, or when requested by anyone authorized to administer this bylaw;
 - c. Restrain or remove the dog(s) from a park when requested by anyone authorized to administer this bylaw;
 - d. Carry at all times and use as needed a leash and collar for each dog; and
 - e. Remove from the park the feces deposited by that dog and place them in an acceptable receptacle.

EQUINE OR PACKING ANIMALS

14. No person shall bring into a park, or use within a park, any equine or other animal used for packing, except in parks or areas within parks designated for such use.
15. Anyone entering a park with a horse or other animal used for packing shall remove from the park the feces deposited by that animal and place them in an acceptable receptacle

CAMPING

16. No person shall use a park for the purpose of *Camping*, tenting, or overnight accommodation, nor use a boat or vessel as a residence or overnight accommodation while moored in a park, except within those parks designated in Schedule A.
17. Where there are no designated campsites, *Camping* permits may be issued at the discretion of the Manager of Community Services, pursuant to RDCK policy No. 1012/07 (applicable in Areas E, F, and G only). Outside Areas E, F, and G, authorization will be required by the Manager of Community Services.

18. No person shall camp in a park for more than 14 consecutive days. Following the 14 days, no person shall return to that *Campground* until they have remained outside that *Campground* for a minimum of 72 hours.

ALCOHOL

19. No Person shall possess or consume alcoholic beverages in a park, except:
 - a. within premises where such beverages are sold pursuant to a license issued under the *Liquor Control and Licensing Act* (British Columbia).
 - b. registered campers and their guests within designated campsites
20. Permitted events at RDCK parks in which alcohol is permitted, be consistent with the Designated Driver Program, pursuant to Policy No. 716/05 (23)

DAMAGE

21. No person shall remove, destroy, cut or damage any natural features or manmade facilities in a park except by written permission of the RDCK.

FIRES

22. No person shall start or maintain a fire in a park, except in facilities provided at a park for that purpose.
23. No person shall use any vegetation within a park to start or maintain a fire in a park, except firewood that is either brought on-site, or provided by a *Campground* operator for fire purposes.
24. No person shall leave a fire in a park unattended.
25. No person shall burn any unsuitable materials including but not limited to organic yard waste, household waste, plastic, rubber, flammable or combustible liquid, or any treated lumber or construction debris, or toxic waste.

FIREARMS AND HUNTING

26. No person shall hunt, trap, or cause meaningful disturbance to wildlife (except legal fishing) in a RDCK park nor discharge any *Firearm*, bow or crossbow except by written permission of the RDCK.

LITTER AND DUMPING

27. No person shall dispose of *Litter* or other waste in a park, except in a waste receptacle or in a pit or area designated for that purpose.
28. No person shall bring *Litter* or other waste into a park for the purpose of disposal in the park.
29. No person shall cause or allow waste to enter a park or flow or seep into any land or water in a park or to be emitted into the air in a park.
30. No person shall deposit, dump or leave any soil, refuse or debris in a park. Exception of sand for beaches.

PARK MAINTENANCE AND DEVELOPMENT

31. This bylaw shall not be interpreted as impairing or preventing Authorized Personnel from carrying out maintenance and park development work.

PARK USE PERMIT

32. Unless authorized by a park use permit, only non commercial uses are permitted in RDCK parks. Non commercial uses not considered a Special use, where attendance is not expected to exceed 100 persons are exempt from the requirement to obtain a park use permit.
33. No person shall, in a park, conduct or carry out any *Special Use* except where authorized by a park use permit as outlined in Schedules B & C. This also applies to the RDCK Regional Park Food Vending & Sales policy No. 561/07.
34. The holder of a park use permit must maintain the area used under the permit in a neat and clean condition such as but not limited to the removal of all garbage and *Litter*.
35. A park use permit may require but is not limited to the following:
 - a. That the activity be confined to a specific location, that the activity be restricted to certain days and hours, and that the activity be restricted to those specified by permit;
 - b. The permittee to make one or more of the following provisions:
 - i. The removal of garbage generated by issuance of the permit to supply, install and service additional garbage receptacles; or pay for additional service call(s)

as supplied by contract to the RDCK for garbage removal during the duration of the permit; or

- ii. Toilet facilities and/or personal hygiene systems (toilet, sink, etc.) during the period of the permit to supply, install, service and remove portable toilets; or pay for additional service call(s) as supplied by contract to the RDCK for sanitary pump out of existing on site toilets; or
- iii. Specify conditions regarding the use of generators, signage, *Parking* and lights or other items required during the activity; or
- iv. Require the permittee to make one or more of the following provisions for *Parking* during the duration of the permit; to supply and supervise *Parking* attendants to ensure public roads remain open all times and that the *Parking* capacity of the park is not exceeded, or pay for additional service call(s) as supplied by contract to the RDCK for *Parking* and traffic control during the duration of the permit.

36. The General Manager of Community Services, or *Authorized personnel* of the RDCK may:
- a. Refuse to issue a park use permit to any persons or group who has previously contravened this bylaw;
 - b. Refuse to issue a park use permit if the application does not conform to the tenure conditions of the park;
 - c. Refuse to issue a park use permit if the application does not conform to the policies of the approved management plan (where applicable) of the park; or
 - d. Revoke a park use permit if the *Special Use* is conducted in a manner that contravenes this bylaw.
37. Issuance of a park use permit does not exempt the applicant from obtaining other RDCK permits (such as for liquor and noise exemption), where required. The General Manager of Community Service, or *Authorized personnel* of the RDCK may issue a park use permit for *Special Use* if all of the following criteria are met:
- a. The *Special Use* conforms with the policies of the applicable management plan for that park;
 - b. The location used is selected with a sensitivity to the park resources and the experience of other park visitors;
 - c. The *Special Use* will not cause negative environmental impact;

- d. A park use permit applicant has completed a park use permit application and the permit fee and damage deposit has been paid in advance in accordance with Schedule B & C;
 - e. The park use permit applicant has been notified that site cleanup costs, if applicable, are due no later than 30 days form the last date of *Special Use* on the park use permit and if payment is not received then the damage deposit will be forfeited;
 - f. Proof of comprehensive general liability insurance is provided in accordance with Schedule C; and
 - g. A release and indemnification form is signed by the park use permit applicant in accordance with Schedule C.
38. All *Special Uses* sponsored by an incorporated non profit society, a local recreation commission or a youth oriented group, including, but not restricted to, school groups, cubs, scouts, guides and other groups which primarily cater to young people under the age of 18 years, are exempted from paying a permit fee or a damage deposit.

STORAGE

39. No person, including an owner of property adjacent to a park, shall use a park for storage of items or materials of any kind, except by written permission of the RDCK.

BICYCLES

40. Bicycles are permitted in RDCK parks, unless otherwise prohibited in areas identified in an adopted park management plan and/or authorized on-site signage.

MOTORIZED VEHICLES

41. The regulations relating to motorized vehicle control are as follows:
- a. No person shall operate a motorized vehicle below the *Natural Boundary* of any watercourse;
 - b. No person shall operate a motorized vehicle in a park except on those areas designed for such use, except patrolling *authorized personnel* in a park;
 - c. No person shall operate or cause to be operated a motorized vehicle, other than a wheelchair, on or along a park trail except *authorized personnel* engaged in the development or maintenance of the park; except on designated motorized trails shown on Schedule A;

- d. No person shall park or station any motorized vehicle on any public right of way in a park in such a manner as to impede proper use or in such a place or manner as to damage vegetation or landform, or to restrict or inhibit public recreational use of a park; and
 - e. No person shall park or leave a vehicle in a closed park or *Parking Area*.
42. Any motor vehicle *Parked* in violation of this bylaw may be removed and impounded, and the owner of the motor vehicle shall pay the cost of removal and impoundment before the motor vehicle is returned to the said owner.

WATERCRAFT

43. No person shall use or operate a *Watercraft* within a swimming area.
44. No person shall use or operate a motorized *Watercraft* within a park within 30 metres of a swimming area.
45. No person shall *moor* a *Watercraft* in a park, except when loading or unloading the *Watercraft* and in either such case for not longer than ten minutes.
46. Any *Watercraft moored* in violation of this bylaw may be removed and impounded, and the owner of the *Watercraft* shall pay the cost of removal and impoundment before the *Watercraft* is returned to the said owner.
47. No person shall bring a *Watercraft* into a park before 5:00 a.m., except for a watercraft *Parked* at a *Campground* in accordance with this Bylaw.
48. Every person who brings a *Watercraft* into a park shall remove the *Watercraft* from the park by 10:00 p.m., unless the *Watercraft* is *Parked* at a *Campground* in accordance with this Bylaw, or unless permitted by RDCK Authorized Personnel.
49. No person shall throw rubbish overboard or leave rubbish on moorage.
50. All persons using moorage will do so at their own risk.

AMD
Bylaw
No.
2412,
2014
Section
48-52.

USE OF AIRCRAFT

51. No person shall use an aircraft of any kind, including a helicopter, to arrive at or depart from a park, unless authorized by the RDCK General Manager of Community Services, or permitted in the park management plan.

FIREWORKS AND FIRECRACKERS

52. No person shall possess or discharge *Fireworks*, firecrackers or explosive materials of any kind in a park, except for an event authorized by a park use permit.

ENFORCEMENT

The enforcement of the provisions within this bylaw occurs in accordance with the RDCK Municipal Ticketing Information Bylaw.

PENALTY

53. Any person who contravenes a provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence; and
- a. On summary conviction is liable to a fine of not less than \$100; or
 - b. On conviction of a ticket offence under the RDCK Municipal Ticketing Information Bylaw No. 2058, 2009, and its amendments thereto, is liable for the fine imposed under that bylaw.

SEVERABILITY

54. If any provision of this bylaw is held to be beyond the power of the RDCK or otherwise invalid by any court of competent jurisdiction, then the provision may be severed from the bylaw without affecting the validity of the remainder of the bylaw.

REPEAL

55. The following bylaws are hereby repealed:
- a. Bylaw No. 236, "RDCK Pass Creek Park Bylaw, 1978";
 - b. Bylaw No. 1210, "Glacier Creek Regional Park Bylaw, 1997";
 - c. Bylaw No. 883, "RDCK Cottonwood Lake Regional Park, 1991";
 - d. Bylaw No. 884, "RDCK Taghum Beach Regional Park, 1991";
 - e. Bylaw No. 1423, "RDCK Bigelow Bay Regional Park, 2001";

SCHEDULE A
RDCK Park Regulation Matrix

Regional Park	Electoral Area	Classification	Authorized Personnel	Domestic Animals (dogs)	Equine or Pack Animals	Camping	Alcohol	Damage	Fires	Firearms and Hunting	Litter and Dumping	Storage	Bicycles	Motorized Vehicles	Watercraft	Aircraft	Fireworks and Firecrackers	*Additional Comments		
1. Balfour Beach Regional Park	E	Waterfront Access	In accordance with Section 8., 9. & 10. of this Bylaw <i>Authorized Personnel</i> may from time to time designate, establish, limit, close, issue park use permits, collect fees, post signs, make rules, and permit uses and activities.																	
2. Bigelow Bay Regional Park	H	Waterfront Access																		
3. Bonnington Regional Park	F	Multiple Purpose																		
4. Brilliant Bridge Regional Park	I	Multiple Purpose																		
5. Cottonwood Lake Regional Park	E	Waterfront Access			*															*Domestic Animals (dogs) must be leashed at all times.
6. Crescent Valley Beach Regional Park	H	Waterfront Access			*															*Domestic Animals (dogs) must be leashed at all times and are not permitted on the Beach.
7. Glacier Creek Regional Park	D	Waterfront Access			*	*	*													*Domestic Animals (dogs) must be leashed at all times; *Camping is only permitted in designated campground; *Alcohol limited to designated campsites
8. Glade Regional Park	I	Waterfront Access																		
9. Historic Ainsworth Wharf Regional Park	D	Waterfront Access																		
10. James Johnstone Regional Park	F	Waterfront Access																		
11. McDonalds Landing Regional Park	F	Waterfront Access			*															*Domestic Animals (dogs) must be leashed at all times.
12. Morning Mountain Regional Park	E	Multiple Purpose			*															*Domestic Animals (dogs) must be leashed at all times.
13. Nelson Salmo Great Northern Trail	G, E, Nelson	Regional Trail												*						*Motorized Vehicles (i.e off road vehicles) only permitted on designated portions of the trail.

SCHEDULE B

Park Use Permit Fees

A park use permit application must be completed when a proposed use meets the conditions of a Special Use. The requirement for a park use permit will be at the discretion of the RDCK General Manager of Community Services. Proof of insurance must be submitted with application along with payment of the following fees:

	<i>Special Use Category</i>	Non-Refundable Permit Fee	Refundable Damage Deposit	Site Clean Costs*	Comprehensive General Liability Insurance
1	Commercial service or activity	\$100.00	\$100.00	Repair to facilities at a Cost PLUS 10% administration charge	\$2,000,000
2	Non profit Society organization, activity or event	Fee exempt	Fee exempt		\$2,000,000
3	Local recreation commission activity or event	Fee exempt	Fee exempt		\$2,000,000
4	Activities of youth oriented groups, including but not restricted to, school groups, cubs, scouts, guides and other groups which cater to young people under the age of 18 and are under the supervision of a chaperone.	Fee exempt	Fee exempt		\$2,000,000
5	Notwithstanding the above, any <i>Special Use</i> where attendance is expected to exceed 100 persons	\$100.00	\$500.00		\$2,000,000

* Site clean-up costs, if applicable, are due 30 days from the last date on the park use permit. If payment is not received then the damage deposit will be forfeited.

SCHEDULE C PARK USE PERMIT

This Park use Permit for XXX Park

(date)

BETWEEN

The Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson BC V1L 5R4
(hereinafter referred to as the RDCK)

AND

XXX

(hereinafter referred to as the Permittee)

WITNESSES THAT WHEREAS the RDCK has agreed to grant the Permittee use of the land (hereinafter referred to as the Permit Area) described in the attached Appendix A Permit Area.

NOW THEREFORE, the parties agree as follows:

Article 1 Grant or Permit

The RDCK, on the terms, conditions of provisions set forth herein, hereby grants the Permittee permission to enter XXX Park (the Park) and to use the Permit Area for the purpose of XXX.

Article 2 Duration

The duration of the permit and the permission granted hereby shall be for a term of XXX days/months commencing on XXX and ending on XXX, unless cancelled, termination or renewed in accordance with the terms and provisions hereof.

Article 3 Waiver and Indemnity

The permittee accepts and will use the Park at his/he own risk and agrees that neither the RDCK nor its respective officers, employees, servants, agents, heirs, successors and assigns, have made any warranties or representations respecting the suitability or condition of the Park.

Article 4 Insurance

Prior to the execution of this Permit, the Permittee will obtain and maintain comprehensive general liability insurance including, without limitation, coverage for the indemnity provided herein, on terms satisfactory to the RDCK. The RDCK is to be included as a third party named insured.

Such policy will be written on a comprehensive basis with inclusive limits of not less than \$XXX,000,000.00 per occurrence, including \$XXX, 000,000.00 per bodily injury and/or death to any one or more persons including voluntary medical payments as the RDCK may require from time to time. The policy will contain a clause providing that the insurer will give the RDCK fifteen (15) days prior written notice in the event of cancellation or material change. The Permittee will provide the RDCK with evidence of such insurance coverage in the form of an executed copy of the Certificate of Insurance in a form satisfactory to the RDCK ten (10) days prior to the execution of said agreement.

It is the sole responsibility of the Permittee to determine what additional insurance coverages, if any, including but not limited to Works Compensation and Participants Insurance, are necessary and advisable for its own protection and/or to fulfill its obligations under this contract. Any such additional insurance shall be maintained and provided at the sole expense to the Permittee.

Article 5 Cancellation

The Permittee understands and agrees that the Permit may be revoked or cancelled at any time with or without cause. The RDCK will make every reasonable attempt to provide a minimum 48 hours notice of cancelation to the Permittee. The Permittee shall not be entitled to any compensation by the RDCK, whether for damages or otherwise, in respect to the cancellation or termination of a permit.

Article 6 General

1. The Applicant warrants and represents that if s/he executes this Application on behalf of a Group or Organization that the Applicant has sufficient power, authority and capacity to bind the Group or Organization with his/her signature.
2. The Permit is not transferable by the Permittee.

3. The Permittee covenants with the RDCK:

- a. To observe, abide by and comply with all laws, bylaws, orders, directions and regulations of the RDCK or of any competent government authority in any way affecting the Permit Area that the RDCK may direct by notice in writing to the Permittee.
 - b. To make reasonable attempts to notify customers/attendees of hazardous or potentially hazardous conditions associated with the provision of the Permit.
 - c. To keep the Permit Area, as outlined in Appendix A Permit Area, safe, clean and sanitary that the RDCK may direct by way of Appendix C Special Requirements.
 - d. To use and occupy the Permit Area only in accordance with the provisions of the Permit and the applicable Rules and Regulations, being attached Appendix B RDCK Parks Rules and Regulations.
4. The Permittee agrees that site clean up costs, if applicable, are due 30 days from the last date on the Park Use Permit and if payment is not received then the damage deposit, where collected, will be forfeited.
5. The Permittee, in consideration of being granted permission to use the Premises, agrees to be bound by the Terms and Regulations referred to above and if the applicant represents a Group or Organization, the Applicant agrees to inform all responsible officials associated with the Group or Organization, of all the above Clauses.

Article 9 Appendices

As applicable	Appendix A	Permit Area
	Appendix B	Special Requirements
	Appendix C	Park Rules and Regulations

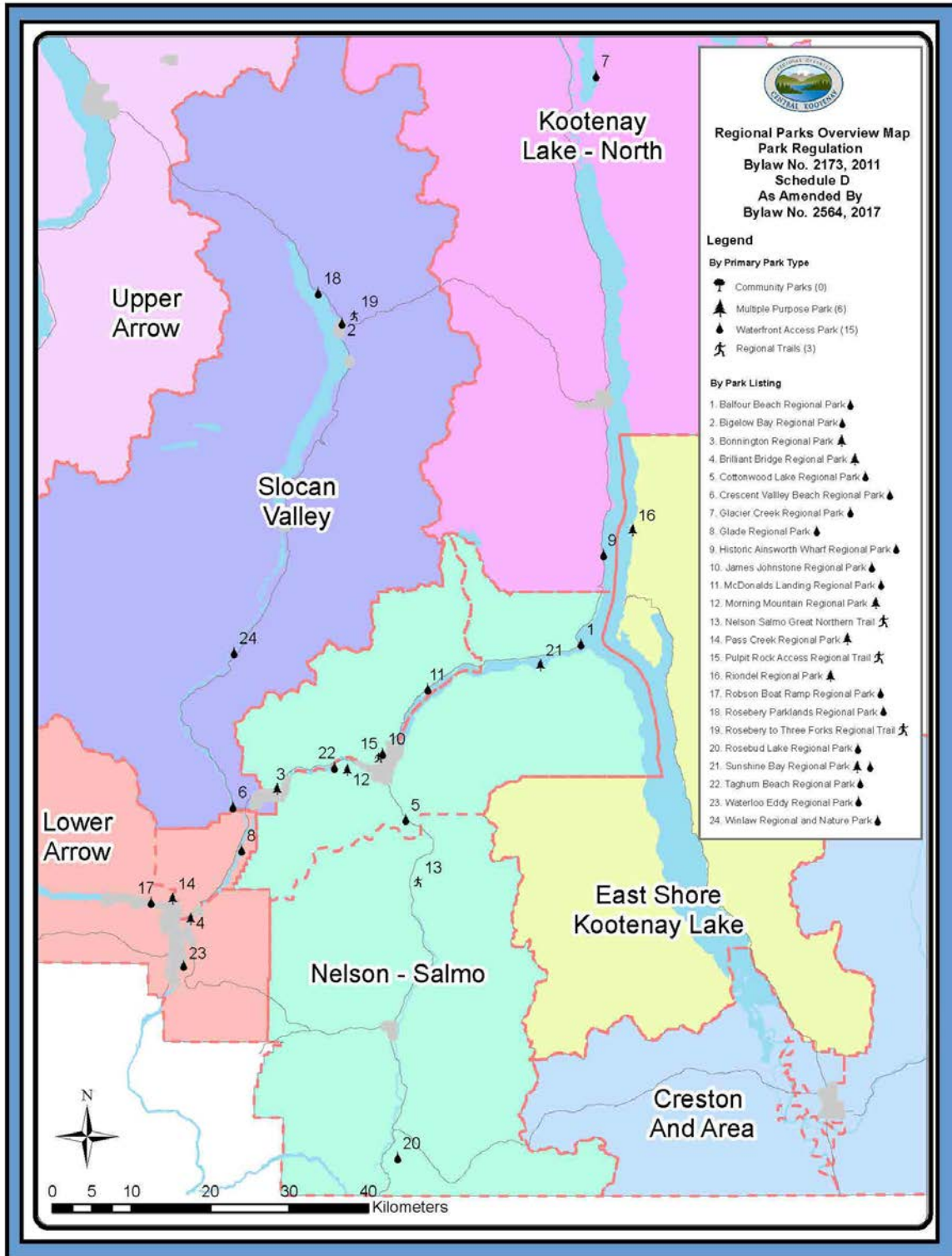
Article 10 Execution

I have read the above and fully understand all of the above Clauses and will comply with said document

Signature of Permittee

Signature for the RDCK

SCHEDULE D RDCK Regional Parks Overview Map



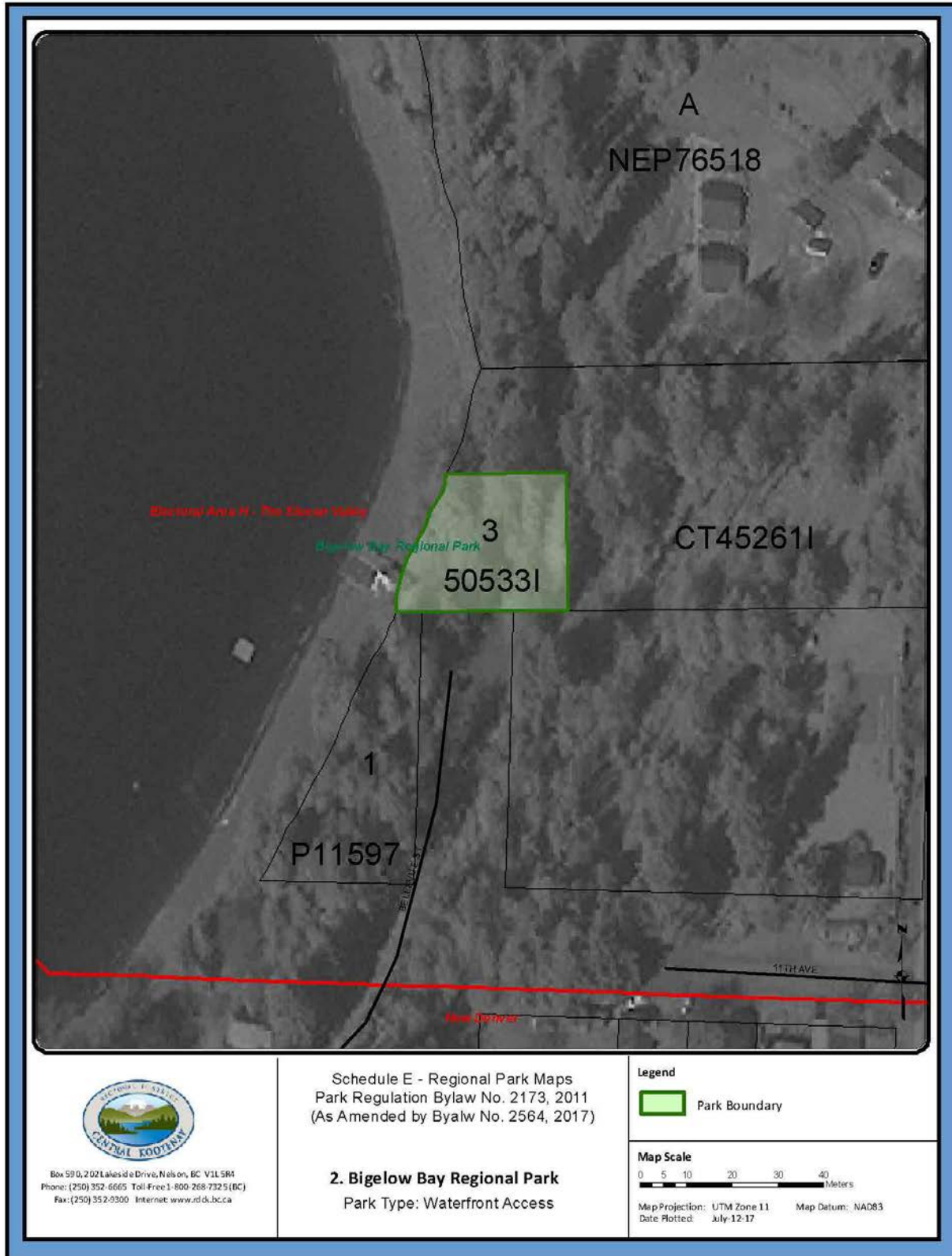
SCHEDULE E

RDCK Regional Park Maps

1. Balfour Beach Regional Park
2. Bigelow Bay Regional Park
3. Bonnington Regional Park
4. Brilliant Bridge Regional Park
5. Cottonwood Lake Regional Park
6. Crescent Valley Beach Regional Park
7. Glacier Creek Regional Park
8. Glade Regional Park
9. Historic Ainsworth Wharf Regional Park
10. James Johnstone Regional Park
11. McDonalds Landing Regional Park
12. Morning Mountain Regional Park
13. Nelson Salmo Great Northern Trail
14. Pass Creek Regional Park
15. Pulpit Rock Access Regional Trail
16. Riondel Regional Park
17. Robson Boat Ramp Regional Park
18. Roseberry Parklands Regional Park
19. Roseberry to Three Forks (Galena) Regional Trail
20. Rosebud Lake Regional Park
21. Sunshine Bay Regional Park
22. Taghum Beach Regional Park
23. Waterloo Eddy Regional Park
24. Winlaw Regional and Nature Park



Box 570, 202 Lakeside Drive, Nelson, BC V1L 5R4
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 Fax: (250) 352-0300 Internet: www.rdk.bc.ca



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Schedule E - Regional Park Maps
 Park Regulation Bylaw No. 2173, 2011
 (As Amended by Bylaw No. 2564, 2017)

2. Bigelow Bay Regional Park
 Park Type: Waterfront Access

Legend

 Park Boundary

Map Scale

0 5 10 20 30 40 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17





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4. Brilliant Bridge Regional Park
 Park Type: Multiple Purpose

Legend

 Park Boundary

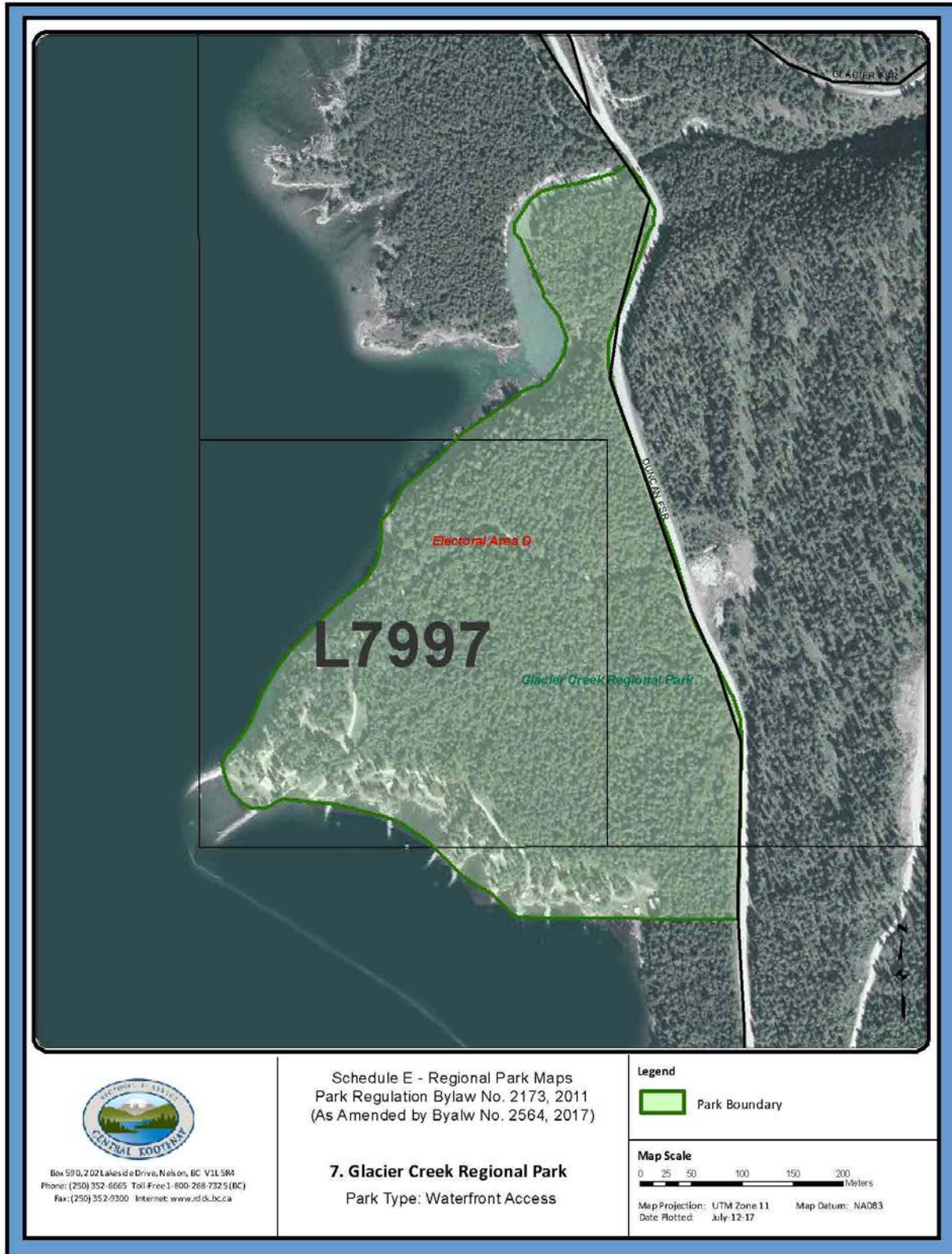
Map Scale

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Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17









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8. Glade Regional Park
 Park Type: Waterfront Access

Legend

 Park Boundary

Map Scale

0 5 10 20 30 40 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17



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Schedule E - Regional Park Maps
 Park Regulation Bylaw No. 2173, 2011
 (As Amended by Bylaw No. 2564, 2017)

9. Historic Ainsworth Wharf Regional Park
 Park Type: Waterfront Access

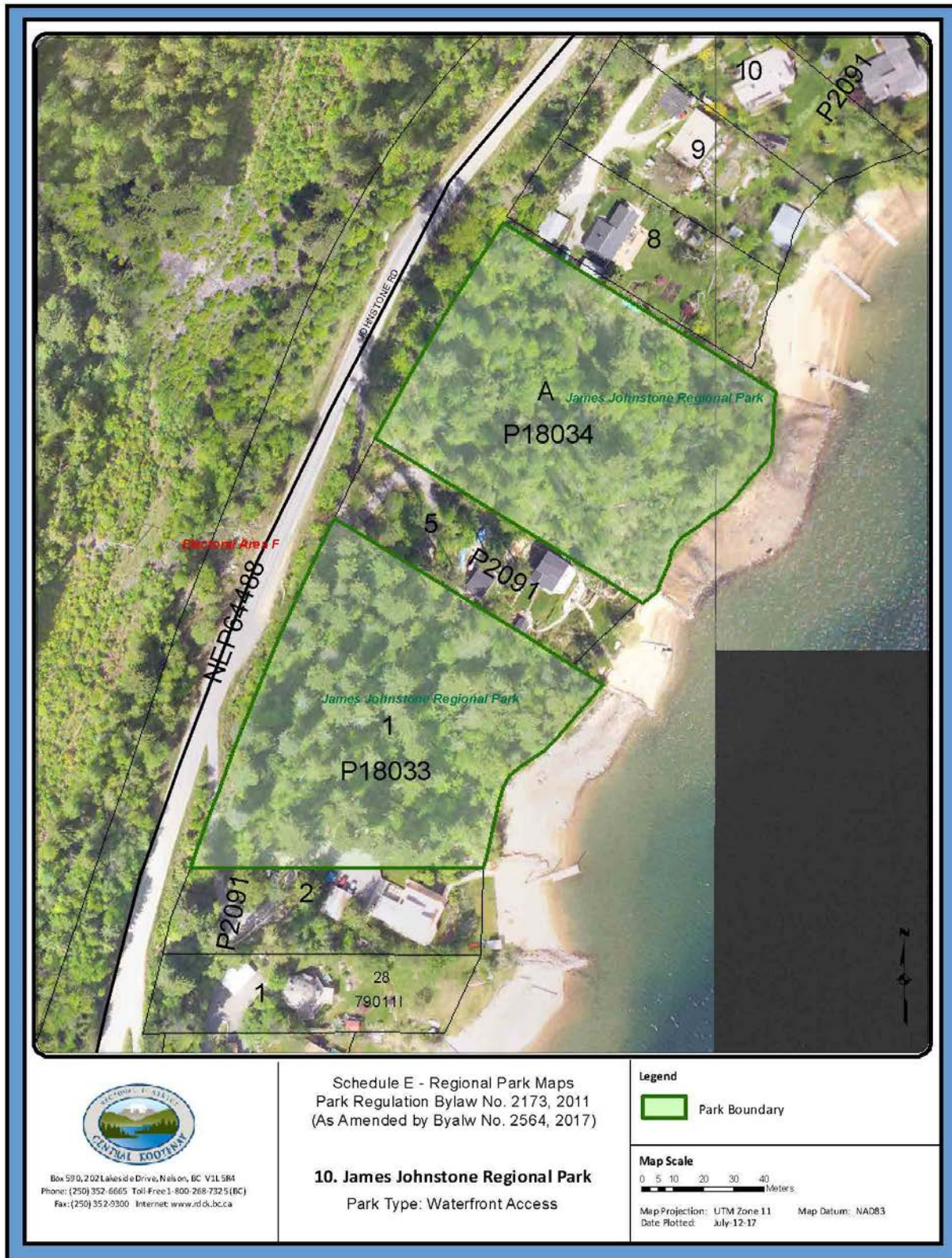
Legend

 Park Boundary

Map Scale

0 5 10 20 30 40 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17



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 Park Regulation Bylaw No. 2173, 2011
 (As Amended by Bylaw No. 2564, 2017)

10. James Johnstone Regional Park
 Park Type: Waterfront Access

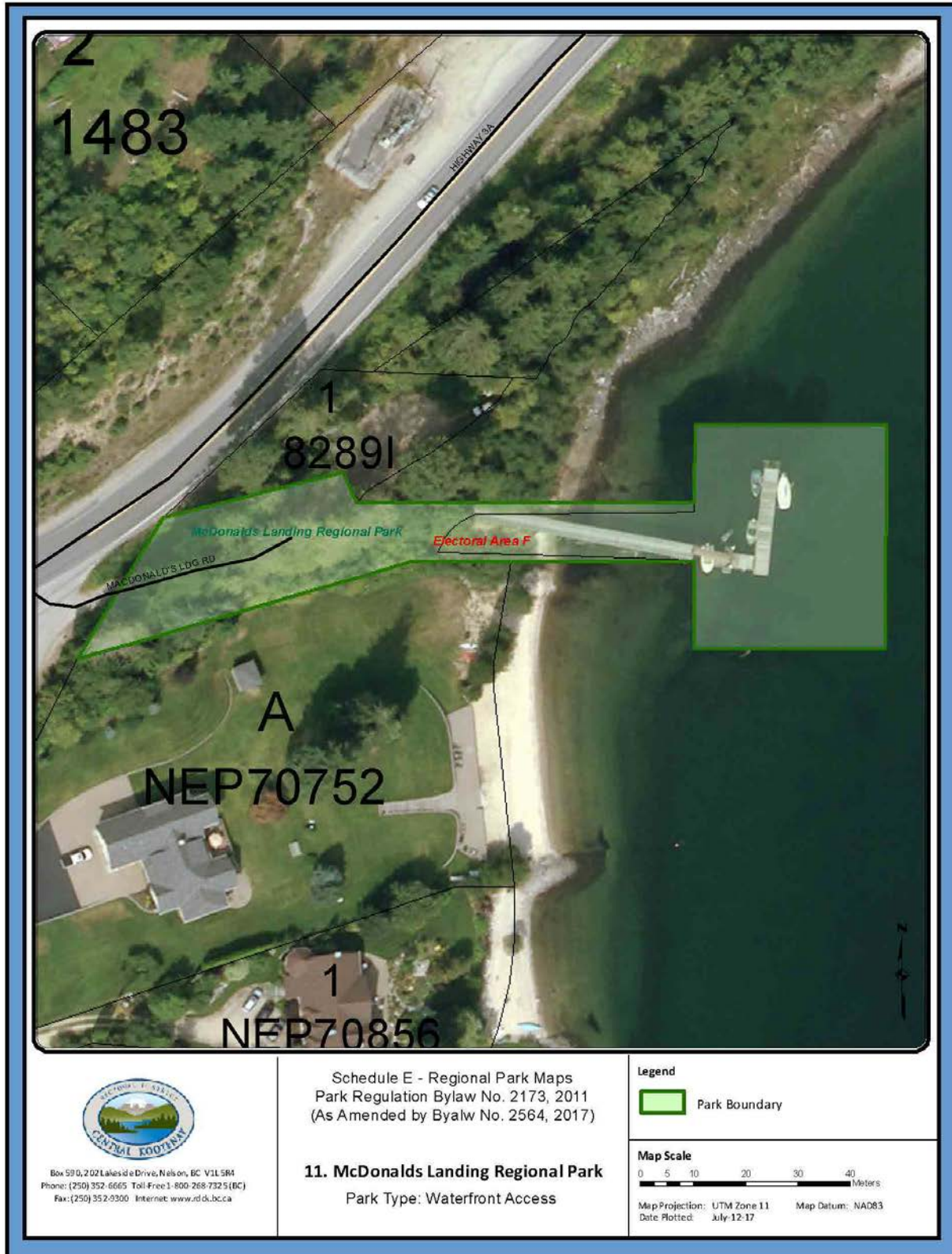
Legend

 Park Boundary

Map Scale

0 5 10 20 30 40 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17



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Schedule E - Regional Park Maps
 Park Regulation Bylaw No. 2173, 2011
 (As Amended by Bylaw No. 2564, 2017)

11. McDonalds Landing Regional Park
 Park Type: Waterfront Access

Legend

 Park Boundary

Map Scale

0 5 10 20 30 40 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17



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Schedule E - Regional Park Maps
 Park Regulation Bylaw No. 2173, 2011
 (As Amended by Bylaw No. 2564, 2017)

12. Morning Mountain Regional Park
 Park Type: Multiple Purpose

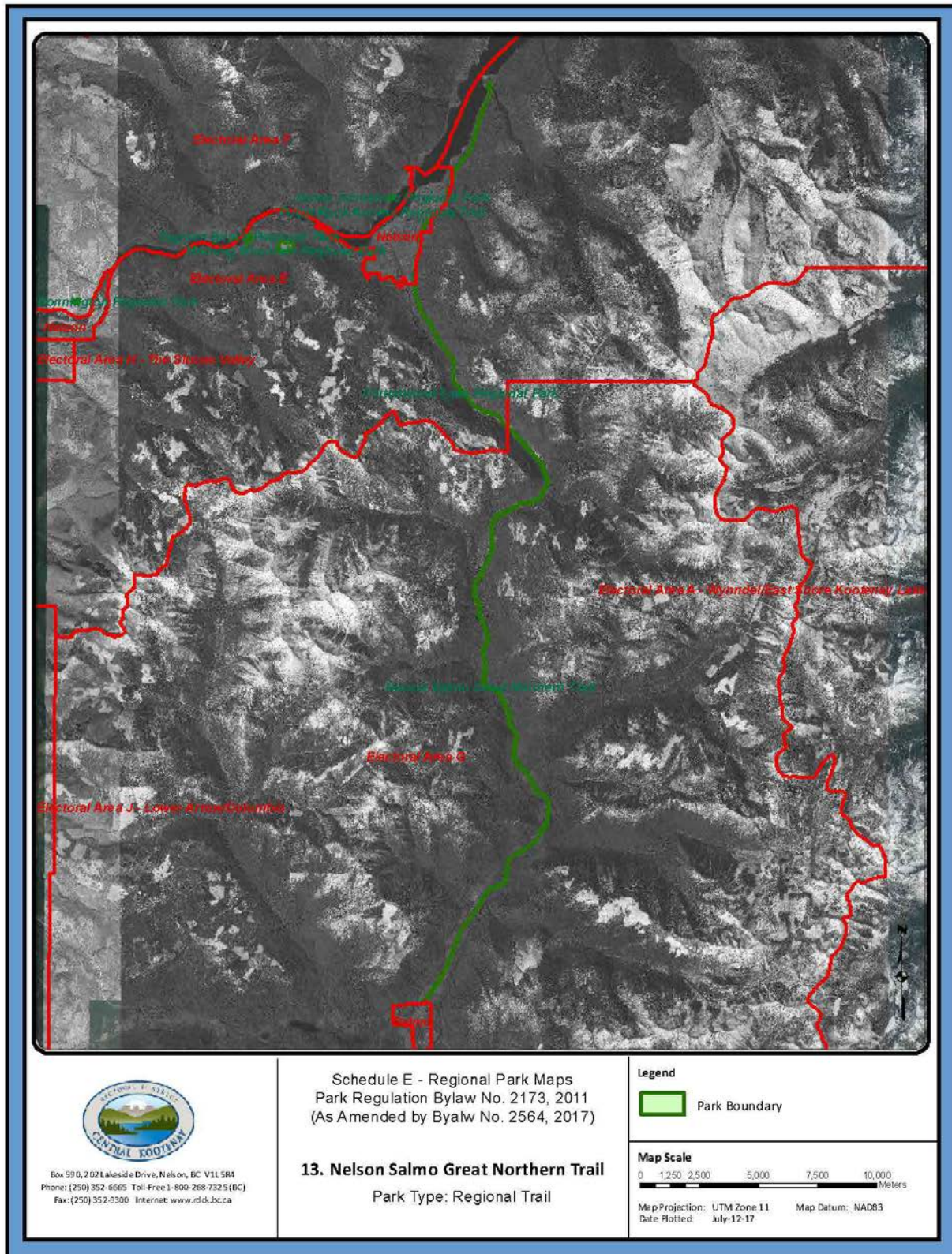
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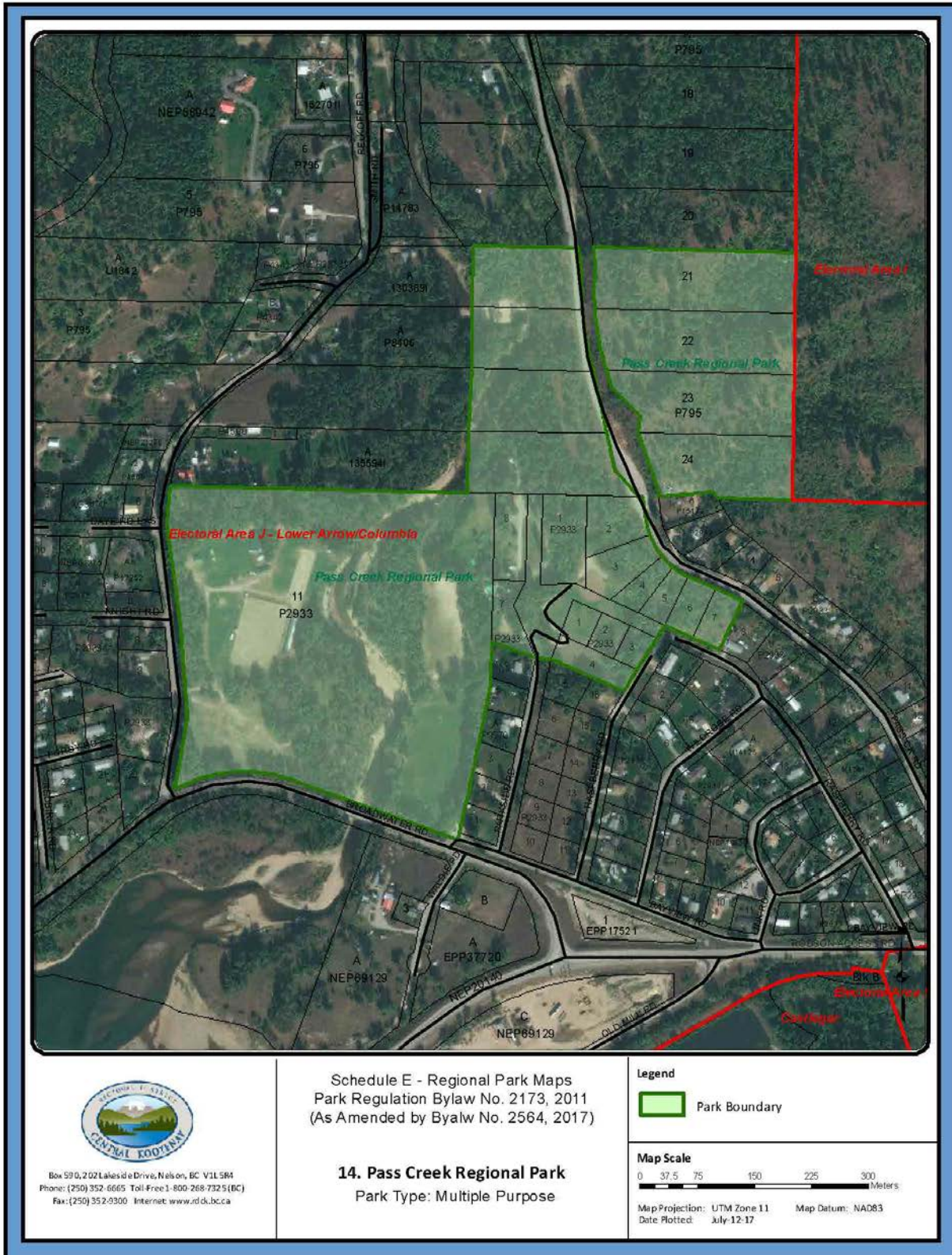
 Park Boundary

Map Scale

0 25 50 100 150 200 Meters

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 Date Plotted: July-12-17





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14. Pass Creek Regional Park
 Park Type: Multiple Purpose

Legend

 Park Boundary

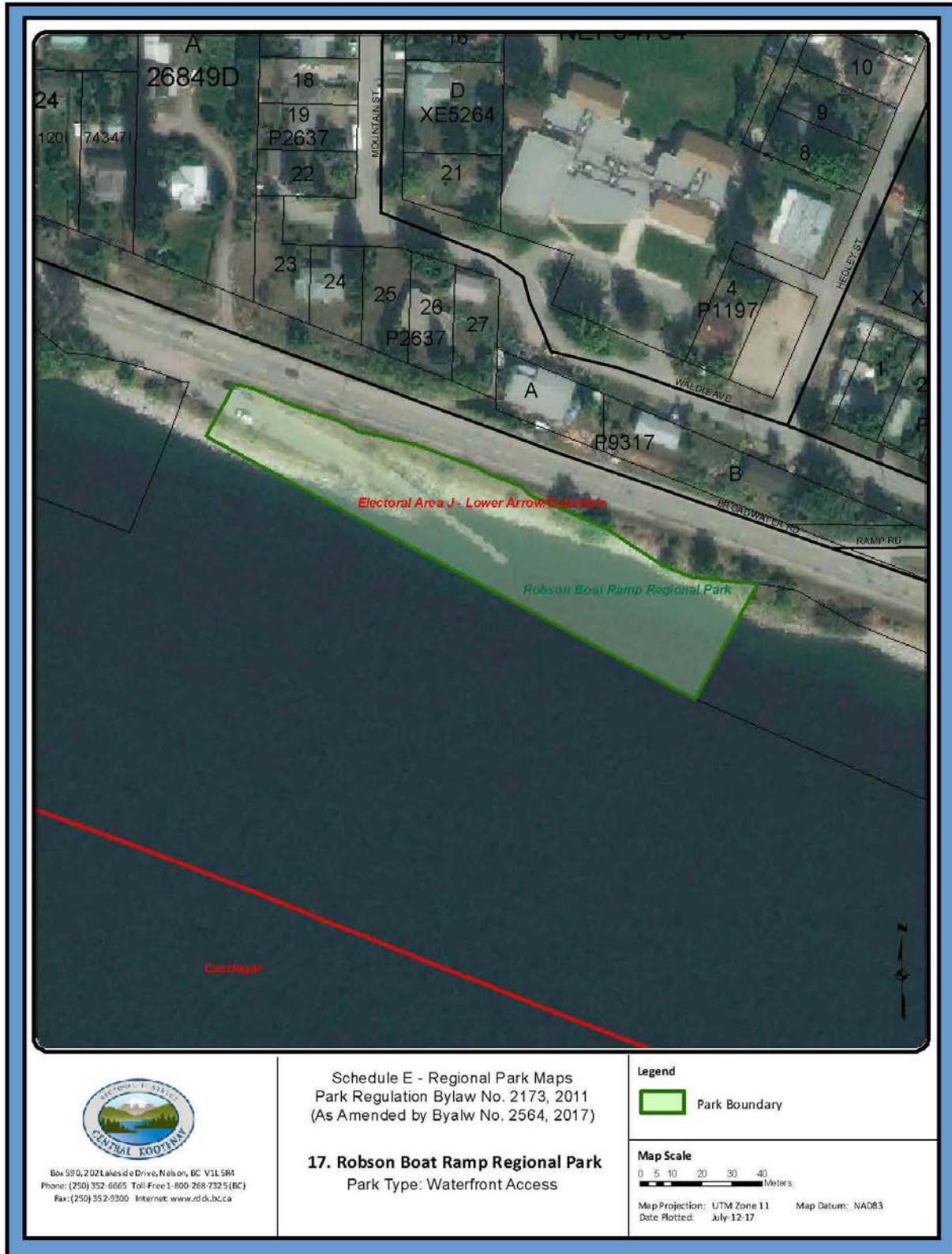
Map Scale

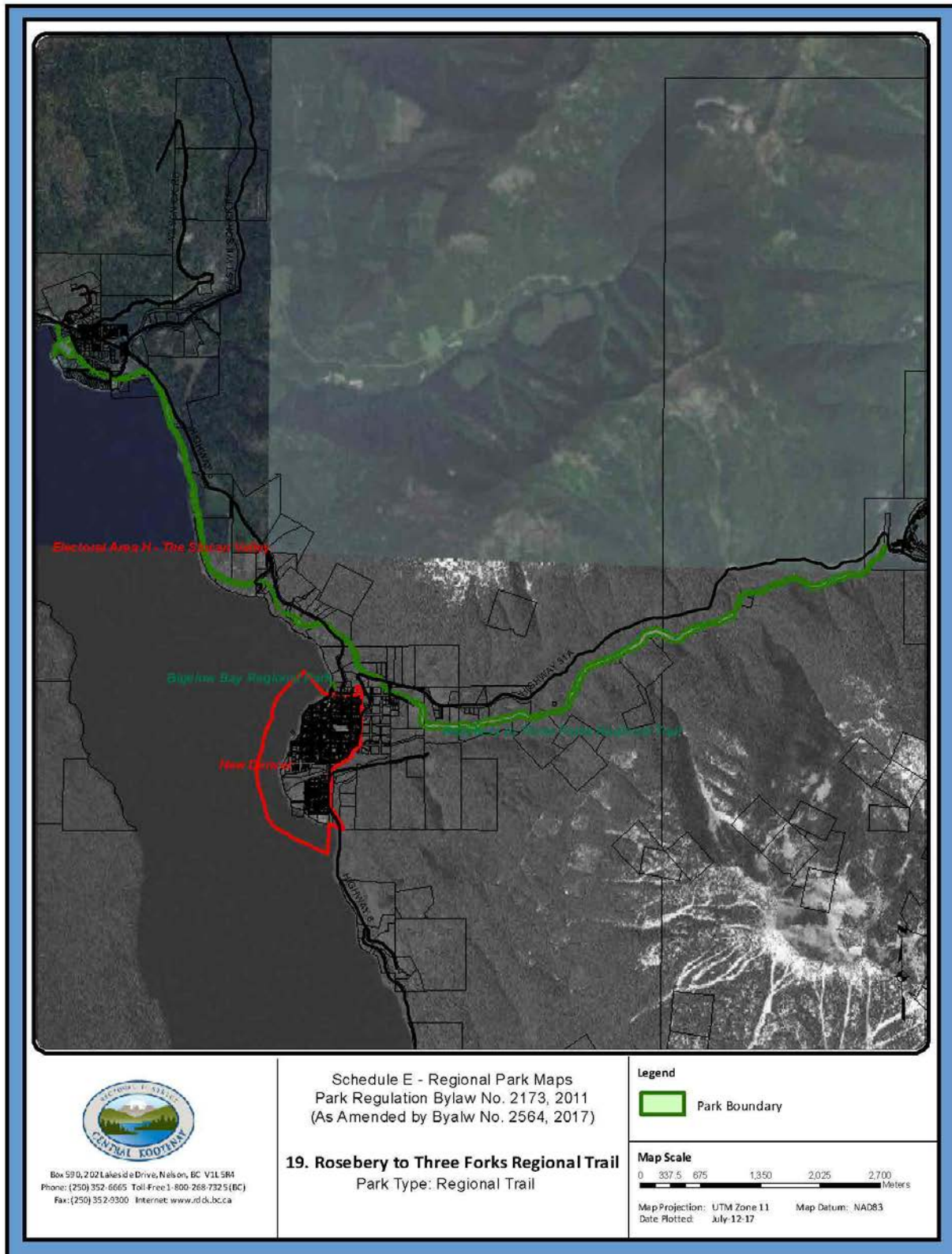
0 37.5 75 150 225 300 Meters

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 Date Plotted: July-12-17









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19. Rosebery to Three Forks Regional Trail
 Park Type: Regional Trail

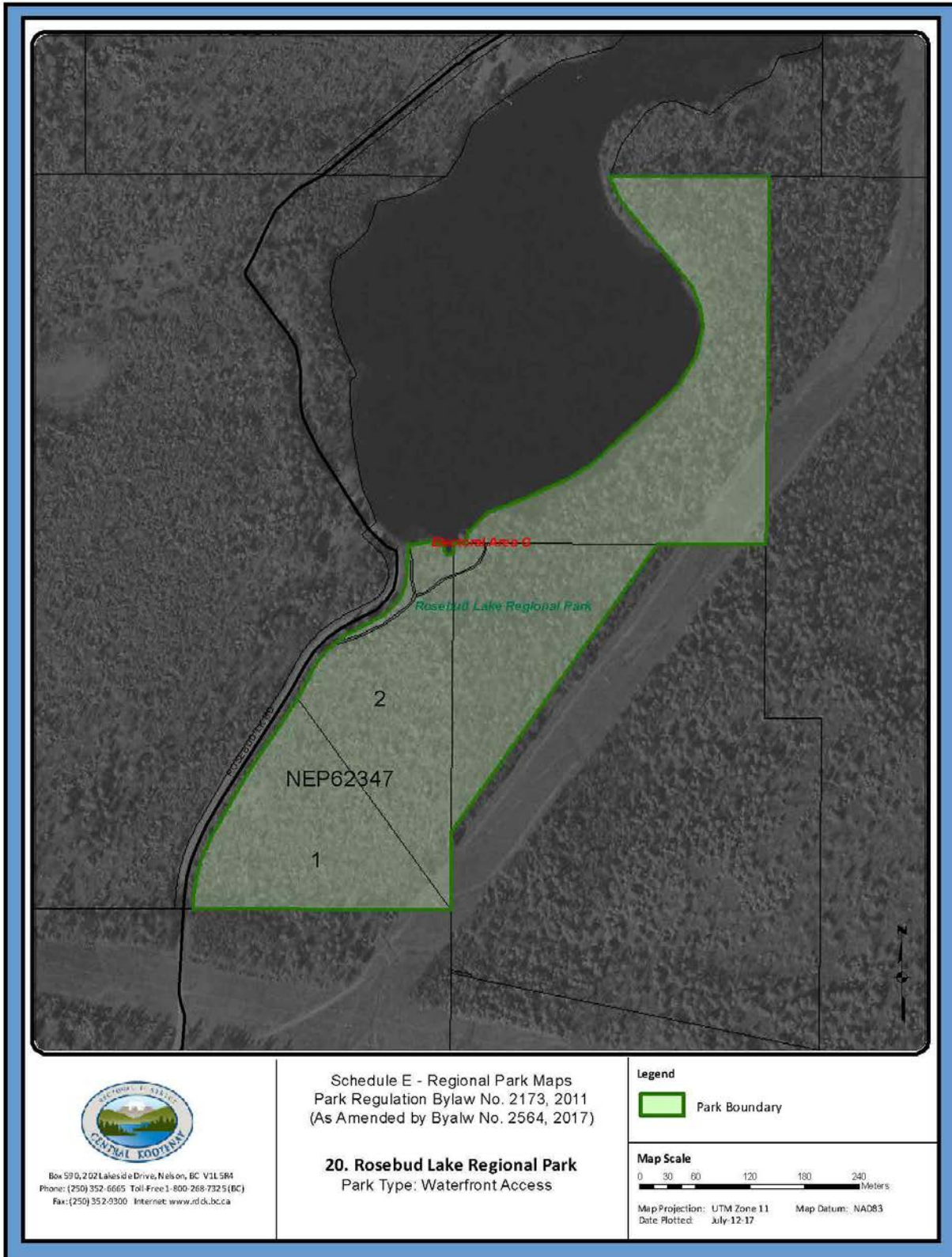
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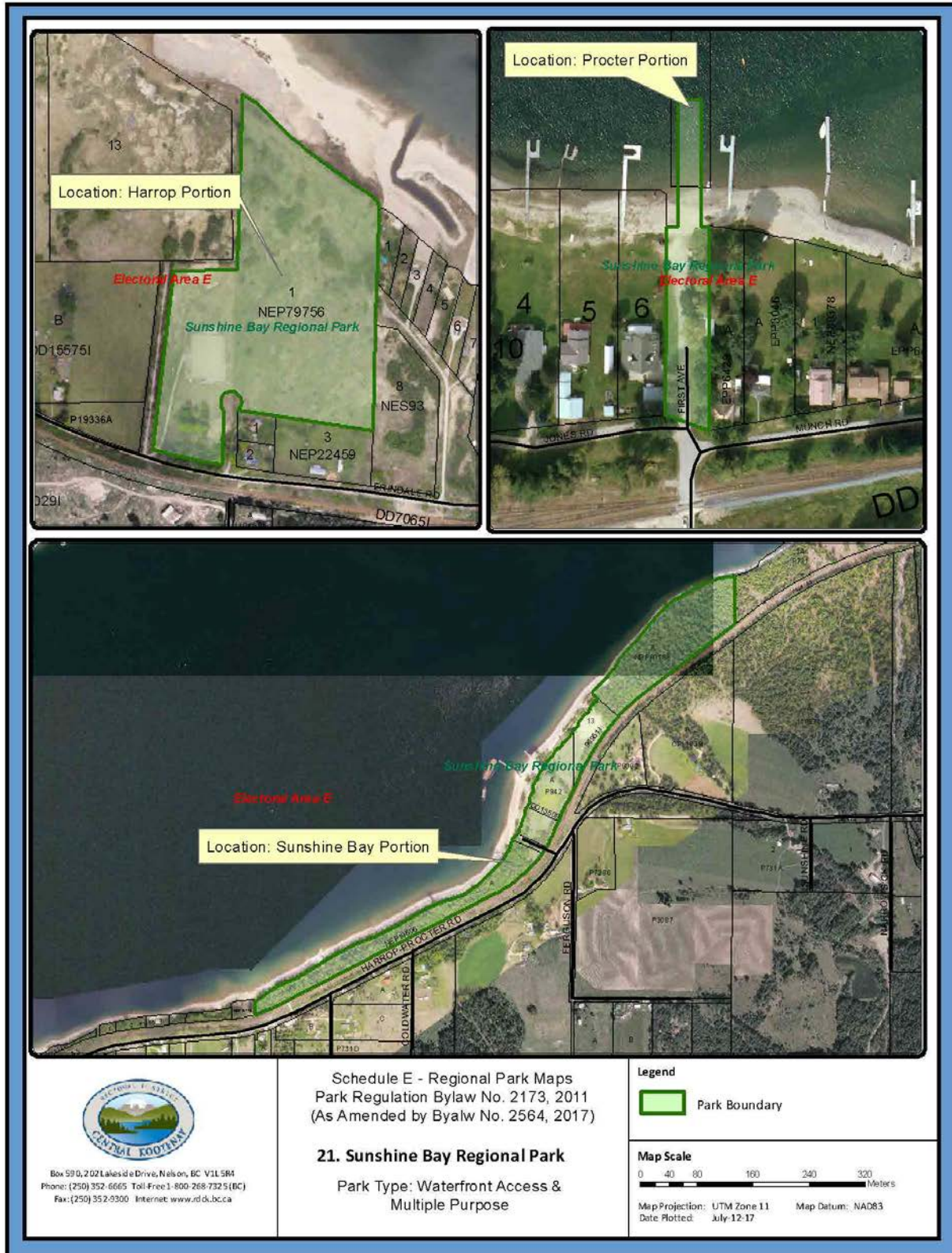
 Park Boundary

Map Scale

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 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17





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Schedule E - Regional Park Maps
 Park Regulation Bylaw No. 2173, 2011
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21. Sunshine Bay Regional Park

Park Type: Waterfront Access &
 Multiple Purpose

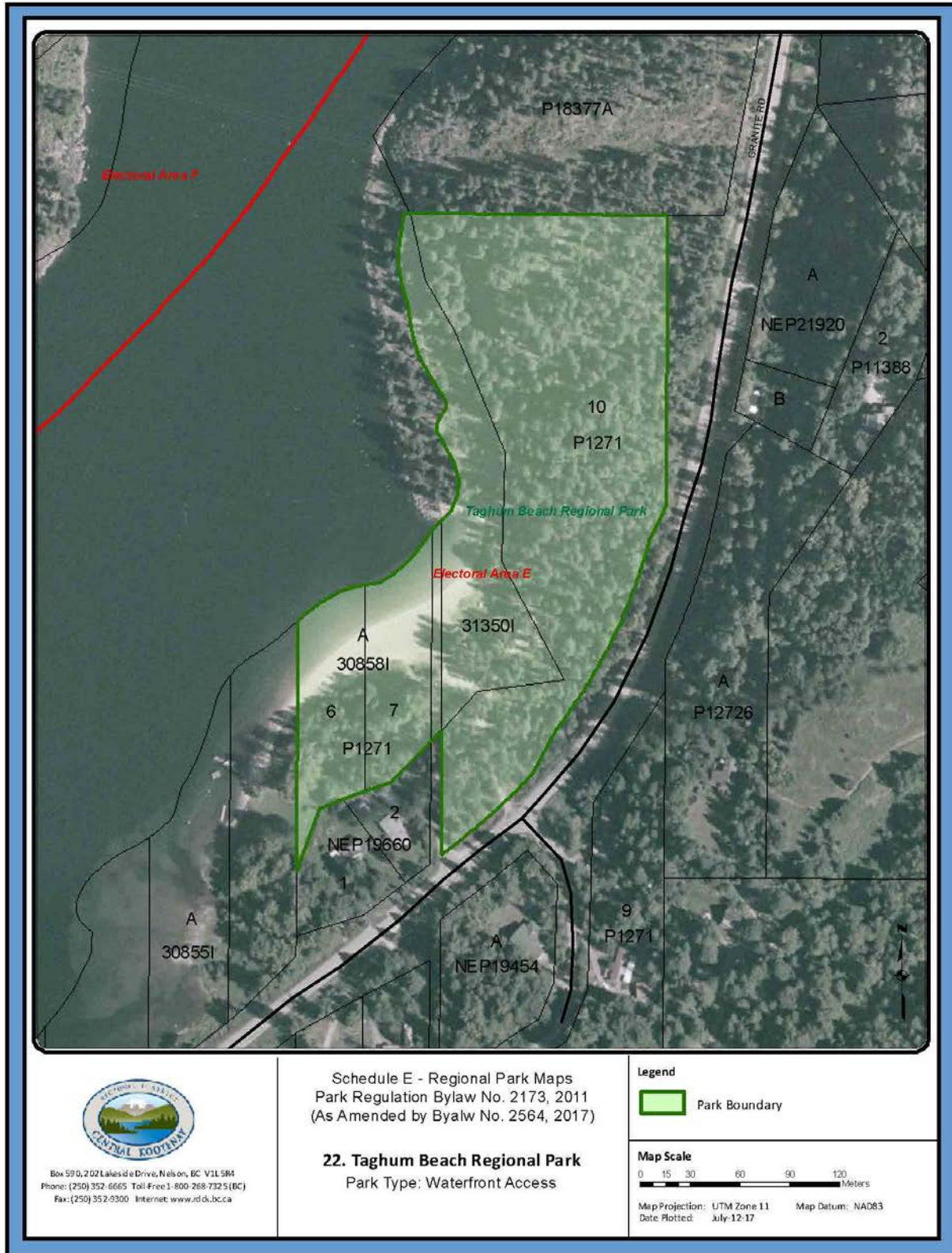
Legend

Park Boundary

Map Scale

0 40 80 160 240 320 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17



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Schedule E - Regional Park Maps
 Park Regulation Bylaw No. 2173, 2011
 (As Amended by Bylaw No. 2564, 2017)

22. Taghum Beach Regional Park
 Park Type: Waterfront Access

Legend

 Park Boundary

Map Scale

0 15 30 60 90 120 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17



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23. Waterloo Eddy Regional Park
 Park Type: Waterfront Access

Legend

 Park Boundary

Map Scale

0 12.5 25 50 75 100 Meters

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: July-12-17

