



CITY OF WILLIAMS LAKE
BYLAW NO. 2419

A BYLAW TO PROVIDE FOR THE USE, REGULATION AND PROTECTION OF PUBLIC LANDS, TO INCLUDE PARKS AND BOULEVARDS HELD IN THE CITY OF WILLIAMS LAKE FOR PLEASURE, RECREATION, OR COMMUNITY USES OF THE PUBLIC.

WHEREAS Sections 8 and 62 of the *Community Charter* authorize the Municipal Council to make rules and regulations governing the management, maintenance, improvement, operation, control, and use of any property acquired, accepted or held in the Municipality for pleasure, recreation or community uses of the public;

AND WHEREAS the Council of the City of Williams Lake deems it expedient to enact regulations governing property acquired, accepted or held in the Municipality for pleasure, recreation or community uses;

NOW THEREFORE the Council of the City of Williams Lake in an open meeting assembled hereby enacts as follows:

1. Title

- 1.1 That this Bylaw may be cited for all purposes as the "City of Williams Lake Parks and Public Land Bylaw No. 2419, 2024".

2. Repeals

- 2.1 Bylaw No. 1137, being cited as the "Williams Lake Parks Management Bylaw No. 1137, 1986", and all amendments thereto are hereby repealed.

3. Application

- 3.1 The purpose of this bylaw is to ensure that all public lands including parks and boulevards within the City of Williams Lake are protected and preserved for all present future needs and remain accessible to all citizens. This includes all plant materials and affixed accessories located upon the above areas.
- 3.2 Section 6.9(g) and Section 6.9(h) do not apply to supervised consumption or overdose prevention facilities operated by or on behalf of Interior Health or BC Housing personnel operating for or on behalf of Interior Health or BC Housing.

4. Definitions

- 4.1 In this bylaw, unless the context otherwise requires:

“Boulevard” means that portion of a highway or street between the curb line or the lateral boundary lines of a roadway and the adjoining property between the curbs on median strips or islands, but does not include curbs, sidewalks, ditches or driveways.

“Bylaw Services Officer” means that person appointed by the City, whether officially titled as such or not, or any person delegated to assist in carrying out his/her duties under this bylaw, and includes any peace officer.

“City” means the City of Williams Lake.

“City Facility” means publicly accessible portions of City owned buildings, lots, or structures, including, but not limited to, parking lots, courtyards, City Hall, Fire Hall, and recreation facilities.

“Controlled Substance” means any controlled substance as defined or described in Schedules I, II or III of the *Controlled Drugs and Substances Act*, 1996, Chapter 19, as amended from time to time.

“Director” means the person appointed from time to time by Council as Director of Municipal Services or Director of Protective Services and any duly authorized delegate.

“Drug Paraphernalia” means equipment, product or accessories intended or modified for using a *controlled substance*.

“Farm Animal” means and includes horses, cattle, mules, swine, sheep, goats, poultry, fowl, rabbits, alpacas, and llamas.

“Homeless Person” means a person who has neither a fixed address nor a predictable safe residence to return to on a daily basis.

“Park” includes:

- (a) every public park, playground, urban forest (including all driveways, roadways, greenspace, paths, and lanes within a public park, playground, or urban forest), beach, boulevard, water playground, community centre, art gallery, museum, arena, and all community recreational facilities owned or controlled by the City; and
- (b) any real property acquired and held by the City and dedicated and reserved by it for the use, recreation or enjoyment of the public, or land designated for natural or environmental purposes.

“Person” includes a natural person, a company, corporation, partnership, firm, association, society, or party and the personal or other legal representatives of a person to whom the context can apply according to law.

“Prohibited Areas” means playgrounds, water playgrounds, horticulture display areas, and ornamental gardens, maintained or landscaped public lawns, skateboard parks, tennis courts, or other sports facility courts, sports fields, dugouts, stages, bleachers, washroom facilities, picnic shelters, gazebos, cemeteries, pathway, driveways, roadways, lanes, bridges, boulevards, areas of a Park that have otherwise been issued a permit pursuant to this bylaw, and all other offices, community and recreational facilities, parking lots, or parkades, that are owned or controlled by the City.

“Public Lands” means any lands under the care, management, and jurisdiction of the City of Williams Lake

“Smoke or Smoking” means to inhale, exhale, burn, or carry a lighted cigarette, cigar, pipe, hookah pipe, electronic cigarette, or other smoking equipment that burns or vaporizes tobacco, marijuana, or any other substance.

“Temporary Overnight Shelter” means the use of structures, improvements, or overhead shelter, including a tent, lean-to, or other form of overhead shelter constructed from a tarpaulin, plastic, cardboard, or other rigid or non-rigid material to allow Persons relief from the elements during periods of rest.

5. Temporary Overnight Shelter – Public Areas

- 5.1 This Bylaw applies to any and all forms of Temporary Overnight Shelter placed, erected, or otherwise imposed in, on, within, or attached to any Public Lands within the City of Williams Lake.
- 5.2 Where there is no accessible shelter accommodation available in the City, a Homeless Person may erect, occupy, and use a Temporary Overnight Shelter on Public Lands that is not a Prohibited Area, provided that the Person complies with all other provisions of this Bylaw.
- 5.3 Temporary Overnight Shelters, as referred to in Section 5.2 above, shall only be erected, occupied, or used each evening as follows:
 - a) During Summer Season – March through November: between 9:00pm (2100 hrs) on one day until 7:00am (0700 hrs) on the following day; and
 - b) During Winter Season – December through February: between 6:00pm (1800 hrs) on one day until 8:00am (0800 hrs) on the following day.
- 5.4 A Temporary Overnight Shelter shall only be permitted in areas designated by Council resolution.
- 5.6 Each Temporary Overnight Shelter referred to in Section 5.2 above may only cover an area of less than 10m² and may not adjoin, abut, or be connected to any other Temporary Overnight Shelter.
- 5.7 A Temporary Overnight Shelter shall not be erected, occupied, or used in, on, within, or attached to any Prohibited Area.
- 5.8 All Persons erecting, occupying, or using a Temporary Overnight Shelter on Public Lands shall be required to remove the Temporary Overnight Shelter and all possessions, wastes, and other incidental materials associated

herewith from said Public Lands at any time other than the permitted times stipulated under Section 5.3 above.

- 5.9 Any Temporary Overnight Shelter on Public Lands that is found:
- a) in, on, within, or attached to any Prohibited Area; or
 - b) during times not authorized by this bylaw; shall be unlawful and subject to enforcement and removal, including the removal of any possessions, waste, and other incidental materials in, at, or near the erection, occupancy, or use of the Temporary Overnight Shelter.
- 5.10 Without limiting any other authority granted under this bylaw, the Director, a Bylaw Services Officer, a City officer or employee, or an agent of the City may remove or cause to be removed, disposed of or impounded from Public Lands any Temporary Overnight Shelter that is not in compliance with this bylaw, including any vehicles, camping equipment, or possessions in, at, or near the Temporary Overnight Shelter.
- 5.11 All Persons using Temporary Overnight Shelter on Public Lands shall be required to comply with all other provisions of this bylaw and any other applicable City bylaw and provincial or federal act or regulation.
- 5.12 No Person shall obstruct, hinder, or interfere with any City employee, agent, Bylaw Services Officer, ambulance attendant, or any other person acting in the course of his/her duties at or near the erection, occupancy, or use of a Temporary Overnight Shelter on any Public Lands within the City.

6. Specific Regulations

- 6.1 No person shall deface, cut down or otherwise damage any shrub or other plant material growing in any park or public lands within the City, or deface, remove, or damage any item placed or erected therein, and no person shall permit any animal under his/her control to damage any property in a park or public lands.
- 6.2 No person shall deposit any refuse or any offensive matter in any park or public lands in the City.
- 6.3 No person shall remove any material from any park or public lands in the City, except with the written permission of the Director.
- 6.4 No person shall willfully or maliciously hinder or interrupt, or cause or procure to be hindered or interrupted, any City employees or agents in the exercise of the powers and authorities conferred upon them.

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- 6.5 No Person shall willfully or maliciously discharge any water from a fire hydrant, reservoir, or water main in any park or public lands in the City. No person shall throw stones or other objects, or deposit any injurious, noxious or offensive matter in any water source in any park or public lands. No person shall cause any damage to water services in any park or public lands.
- 6.6 No Person shall injure, molest, or disturb any wildlife in any park or public lands in the City.
- 6.7 No Person owning or having custody, care or control of a dog shall allow the dog to be off-leash within a Park, except as identified in the City of Williams Lake Animal Control Bylaw, as amended from time to time.
- 6.8 No Person shall allow any farm animal to be at large or to graze within a Park or Public Lands, except as identified in the City of Williams Lake Animal Control Bylaw, as amended from time to time.
- 6.9 No person shall use any washroom facility or change room in any Park in the City for any purpose other than that for which the building is intended.
- 6.10 It shall be unlawful and an offence against this Bylaw for any Person to:
- a) Sell in any park or public lands in the city any article or service, except those services that may from time to time be approved by the City.
 - b) Start, permit, or otherwise use any form of fire in any Park or Public Lands in the City.
 - c) Use firearms or any combustible material in any Park or Public Lands in the City.
 - d) Place or erect any structure, sign, bulletin board or advertising device whatsoever, or distribute or post, paint or affix any advertisement, bills or other article of advertising nature in any Park or Public Lands.
 - e) Be in any City Park between the hours of 2300 hrs (11:00pm) and 0500 hrs (5:00am) on any day unless that Person is a bona fide user as stated in Section 7 of this Bylaw.
 - f) It shall be an offence against this Bylaw for any Person to consume or have in their possession any alcohol or liquor in any City Park or upon any public lands unless the said alcohol or liquor is consumed

or possessed pursuant to and in compliance with the license issued under the Liquor Control and Licensing Act.

- g) Display or use a controlled substance, except in areas designated as per section 3.2.
- h) Display or use drug paraphernalia, except in areas designated as per section 3.2.

6.11 It shall be unlawful for any Person or Persons:

- a) To operate a motorized vehicle within any Park or Public Lands, except on designated vehicular routes.
- b) To do any activity so as to interfere with or become a nuisance to the general public within any Park or Public Lands.
- c) To do any activity in a Park or Public Lands where posted signs indicate that such activity is prohibited or unlawful.

6.12 The Director or any duly authorized delegate shall have the power to enforce the maintenance of order in the Parks or other Public Lands of the City and may alter the hours of operation for any City Park or Public Lands and may close any City Park or Public Lands on a temporary basis for public safety, emergencies, or weather related events and to remove or have removed any person or person who may contravene or refuse to comply with any regulation or provision herein contained.

6.13 No person shall smoke at or in a Park or a publicly accessible portion of a City Facility.

7. Park Hours

7.1 All City Parks will be closed daily from 2300 hours (11:00pm) to 0500 hours (5:00am) with the exception of bona fide users of:

- a) Boitania Park Disc Golf Course
- b) Kiwanis Park Tennis/Pickle Ball Court

8. Enforcement

- 8.1 Any Person designated as a Bylaw Services Officer or Peace Officer pursuant to the City of Williams Lake Bylaw Offence Notice Enforcement Bylaw, or any person named as the enforcement officer pursuant to the City of Williams Lake Ticket Information Utilization Bylaw, is hereby authorized and empowered to enforce the provisions of this Bylaw by Bylaw Notice, or as otherwise provided by this Bylaw.

9. Penalty

- 9.1 Every person who contravenes or violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any provision of this Bylaw, or who neglects or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence and is subject to the following enforcement provisions:
- a) to the penalties imposed by the *Offence Act*, or;
 - b) to a fine as imposed by the means of a Municipal Ticket Information under the *Community Charter* or a Bylaw Notice under the *Local Government Bylaw Notice Enforcement Act*.
- 9.2 All penalties relevant to contraventions of this Bylaw being addressed within the provisions of Section 9.1(b) are contained in Schedule (insert schedule here) of the City of Williams Lake Bylaw Notice Enforcement Bylaw No. 2196, 2013 as amended from time to time.
- 9.3 Where the offence is a continuing one, each day the offence continues shall be a separate offence.

10. Vicarious Liability

- 10.1 When upon reasonable grounds a Peace Officer/Bylaw Services Officer believes a contravention of this Bylaw has been committed by:
- a) an employee of a corporation, that corporation shall be deemed to have committed the offence for which its employee committed;
 - b) an occupier has committed an offence pursuant to this Bylaw;
 - c) a motor vehicle or trailer, notwithstanding it is registered or not, the registered owner as shown on the registries database shall be deemed to have committed a contravention of this Bylaw.

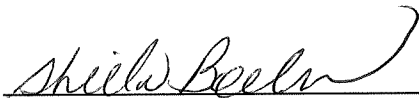
11. Severability

11.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

12. Adoption

12.1 This Bylaw shall come into force and take effect upon the date of final adoption by the Council of the City of Williams Lake.

READ A FIRST TIME THIS	5th	DAY OF	November	,2024.
READ A SECOND TIME THIS	5th	DAY OF	November	,2024.
READ A THIRD TIME THIS	5th	DAY OF	November	,2024.
RECONSIDERED AND ADOPTED THIS	19th	DAY OF	November	,2024.



ACTING MAYOR



CORPORATE OFFICER