

BYLAW NO. 23-90

BEING A BYLAW OF THE TOWN OF ATHABASCA IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND OPERATION OF PARKS, CAMPGROUNDS, TRAILS, SPORTSFIELDS, PLAYGROUNDS, AND RECREATION AREAS UNDER THE JURISDICTION OF TOWN COUNCIL.

WHEREAS authorities are vested in Council for the Town of Athabasca under the provision of the Municipal Government Act, Chapter M-26, R.S.A. 1980 and amendments thereto, and

WHEREAS it has been deemed necessary to control the operation of parks and campgrounds,

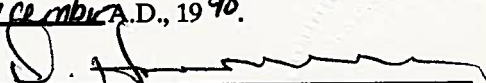
NOW THEREFORE the Council of the Town of Athabasca in the Province of Alberta, duly assembled, enacts as follows:

1. That this by-law be referred to as the "Parks By-law".
2. That in this by-law
 - a. "Animal" means a domestic animal and includes an animal that is wild by nature but has been domesticated;
 - b. "Camping Accommodation Unit" means:
 - i. a tent
 - ii. a trailer
 - iii. a tent trailer
 - iv. a motor home
 - v. a van or
 - vi. a truck camperused by a person as shelter equipment while camping;
 - c. "Council" means the Council of the Town of Athabasca.
 - d. "Weapon" means any device that propels a projectile by means of explosion, spring, air, string, wire or elastic material or any combination of those things;
 - e. "Nuisance" means:
 - a. any noise that disturbs the public unnecessarily
 - b. obscenity
 - c. any action which interferes with the rights of others to the peaceful enjoyment of a park;
 - f. "Park" means land designated as park, campground, or trail by the Council;
 - g. "Recreation facility" means any man-made structure within designated or developed park areas that is used for recreational, cultural or public activities.
 - h. "By-law Enforcement Officer" or "Parks Officer" means a person appointed under authority of this by-law or who are duly appointed by Council for the express purpose of enforcing the rules and regulations stipulated in this by-law.
3. That for the purpose of administering this by-law, a By-law Enforcement Officer may:
 - a. Order any person in a park or recreation facility to cease or refrain from any action, omission, or conduct that in the opinion of the Officer is dangerous to life or property or detrimental to the use and enjoyment of the park or recreation facility by other persons;
 - b. Remove from a park or recreation facility:
 - i. any person making an unauthorized use of the park or recreation facility
 - ii. any person failing to comply with any provisions of this by-law, or
 - iii. any person creating a nuisance or disturbance or committing a trespass or any undesirable act.
4. Where a person fails to comply with any provision of this by-law, and where steps are necessary to rectify the noncompliance, the cost of doing so is recoverable from the person as a debt.
5. A person engaged in any activity within the boundaries of the park or recreation facility shall be subject to a registration or user fee in the amount set by Town Council or the Recreation Board.
6. The Council may designate and erect any signs and notices governing and prohibiting activities that are provided for in this by-law.

7. Littering is prohibited and a person using a park shall keep the land and facilities in a condition satisfactory to a By-law Enforcement Officer.
8. No person who has been removed from a park or recreation facility pursuant to the provisions of this by-law shall, within the following seventy-two (72) hour period, enter or attempt to enter that park or recreation facility.
9. No person shall deface, injure, or destroy any object in a park or recreation facility, whether created by natural means or otherwise.
10. No person shall display or post any signs or advertisements in the park or recreation facility other than signs and advertisements approved by the By-law Enforcement Officer or Council.
11. That in this by-law
 - a. No person shall bring commercial or residential waste matter into a park or recreation facility for disposal.
 - b. In areas where waste disposal receptacles are not provided, waste matters shall be carried out of the area for disposal.
12. That in this by-law
 - a. No person having the custody or control of an animal shall bring the animal into a park or recreation facility where such action is prohibited.
 - b. In areas where animals are allowed, no person shall allow the animal to enter or remain in a park or recreation facility unless it is in a cage or is restrained by a leash, chain, or other device that is not greater than two (2) meters in length.
 - c. In areas where animals are allowed, any person having the custody or control of an animal shall be responsible for cleaning up after said animal.
13. A Parks Officer may refuse to admit to a park or recreation facility or require to be removed from these areas any animal if he/she considers it is not under control or may be a nuisance or cause damage to the life, safety, health, property, or comfort of any other persons in the park or recreation facility.
14. No person shall set, light, or maintain a fire in a park except in a fireplace, pit, or other facilities designed for that purpose.
15. No person shall cut any trees or vegetation within the boundaries of the park or recreation facility.
16. No person shall leave a fire unattended or allow it to spread.
17. A person shall extinguish all fires, hot coals, or smoldering materials before leaving the individual campsite.
18. No person shall park or leave a motor vehicle, boat, trailer, camping accommodation unit in a park or recreation facility other than in parking areas designated for that purpose by the Council or Recreation Board.
19. The Council may provide for and designate areas within its parks for camping and day-use purposes.
20. No person shall camp overnight in a park or outdoor facility except in an area designated for that purpose, unless otherwise authorized by Council.
21. No person shall alter a camping permit, nor transfer a camping permit to another person.
22. Where a campground within a park is developed into individual campsites, only the following vehicles and camping accommodation units are permitted to be kept in the campsite unless Council gives permission to the contrary:
 - i. one motor vehicle, whether or not it is a camping accommodation unit;
 - ii. in addition to the motor vehicle referred to in clause (i) one camping accommodation unit of any kind, including a camping accommodation unit that is a motor vehicle.
23. No person who is visiting a person camped in an individual campsite, shall park his/her vehicle on the campsite:
 - i. after 11:00 p.m., or
 - ii. in a manner or at a location that impedes traffic
24. No person shall camp for more than 14 (fourteen) consecutive days in the same campsite in a park without the written permission of Council.
25. That in this by-law
 - a. A campsite shall be considered to be unoccupied, and the permit therefore cancelled, when, without the written permission of Council, the permittee leaves the campsite unattended for a continuous period of more than 24 (twenty four) hours during the period of the permit.

- b. A Parks Officer, duly authorized by Council, may cancel a camping permit on written notice to the permittee if the permittee contravenes this by-law, and the permittee shall vacate the campsite within one hour from receiving such notice, and shall not be entitled to a refund of the registration fee.
26. Upon the notice of cancellation of a camping permit, the permit holder shall ensure that the campsite is vacated and that all shelter equipment and other property belonging to the permit holder or persons in that group is removed.
27. The Council may add to, delete, or vary the terms and conditions to which a permit issued under this by-law is subject.
28. The use of dangerous weapons is controlled through provisions as outlined in By-law 21-90 of the Town of Athabasca.
29. Any person violating the terms of this by-law shall be subject to the provisions outlined in the general penalty By-law being By-law No. 21-90 of the Town of Athabasca.
30. This by-law shall take effect on the final passing thereof.

READ A FIRST TIME this 18th day of December A.D., 1990.

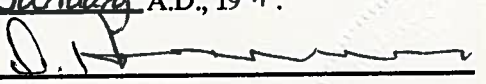


Mayor



Manager

READ A SECOND TIME this 8th day of January A.D., 1991.

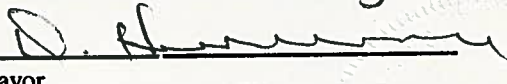


Mayor



Manager

READ A THIRD TIME AND FINALLY PASSED this 8th day of January A.D., 1991.



Mayor



Manager