

AGENDA

COUNCIL WORKSHOP

Tuesday, February 27, 2018

5:00 p.m.

**Committee Room, Municipal Hall
355 West Queens Road,
North Vancouver, BC**

Council Members:

Mayor Richard Walton

Councillor Roger Bassam

Councillor Mathew Bond

Councillor Jim Hanson

Councillor Robin Hicks

Councillor Doug MacKay-Dunn

Councillor Lisa Muri



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COUNCIL WORKSHOP

5:00 p.m.
Tuesday, February 27, 2018
Committee Room, Municipal Hall,
355 West Queens Road, North Vancouver

AGENDA

1. ADOPTION OF THE AGENDA

1.1. February 27, 2018 Council Workshop Agenda

Recommendation:

THAT the agenda for the February 27, 2018 Council Workshop is adopted as circulated, including the addition of any items listed in the agenda addendum.

2. ADOPTION OF MINUTES

Nil

3. REPORTS FROM COUNCIL OR STAFF

3.1. Proposed Parks Demand Management & Communications Program p. 7-13 for Summer 2018

File No.

Recommendation:

THAT staff are directed to proceed with a pilot demand management and communications program to reduce traffic load at Lynn Canyon Park and Deep Cove/Quarry Rock in the summer of 2018.

3.2. Proposed Park Regulation Bylaw 8310, Bylaw Notice Enforcement p. 15-45 Bylaw 8311 and Fees and Charges Bylaw 8321

File No.

Recommendation:

THAT "Park Regulation Bylaw 8310, 2018" and "Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8311, 2018 (Amendment 36)", is referred to a Regular Meeting of Council.

**3.3. Proposed District Municipal Alcohol Policy for Community Events p. 47-76
in Parks and Open Spaces**
File No.13.6660.01/000.000

Recommendation:

THAT the February 7, 2018 report from the Manager – Parks entitled Proposed District Municipal Alcohol Policy in Parks and Open Spaces is received for information;

AND THAT the proposed District Municipal Alcohol Policy in Parks and Open Spaces is referred to a Regular Meeting of Council for approval;

AND THAT the Public Special Occasion Liquor License Policy is referred to a Regular Meeting of Council to be rescinded.

4. PUBLIC INPUT

(maximum of ten minutes total)

5. ADJOURNMENT

Recommendation:

THAT the February 27, 2018 Council Workshop is adjourned.

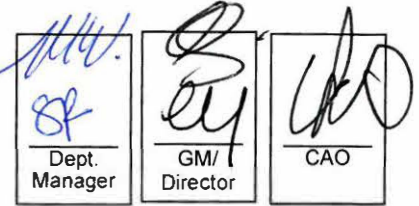
REPORTS

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✓ Council
workshop

February 27, 2018

The District of North Vancouver
REPORT TO COUNCIL



February 19, 2018

File:

AUTHOR: Mairi Welman, Mgr., Strategic Communications & Community Relations
Susan Rogers, Manager, Parks

SUBJECT: Proposed Parks Demand Management & Communications Program
for Summer 2018

RECOMMENDATION:

That Council direct staff to proceed with a pilot demand management and communications program to reduce traffic load at Lynn Canyon Park and Deep Cove/Quarry Rock in the summer of 2018.

REASON FOR REPORT:

The District has reached the limit of foreseeable impact and benefit from the actions taken to date in managing traffic and visitor load at Deep Cove and Lynn Canyon.

Staff is seeking Council approval to proceed with new demand management strategies in the summer of 2018 to test tools that will further alleviate the impact of vehicle traffic on the park space and surrounding neighbourhood streets.

SUMMARY:

Staff are proposing the trial of a demand management program that does not include parking fees, but will market alternative transportation choices to local, regional and international visitors who plan to visit Lynn Canyon and /or Quarry Rock.

The program will market and operate a pilot shuttle bus service that will run two different loop routes, one between the Seabus and Deep Cove, and another between the Seabus and Lynn Canyon.

A live feed of Deep Cove overflow parking capacity information will be made available via DNV.org

The plan also calls for outreach to the tourism industry and private tour bus companies to divert them to assigned parking areas away from the centre of Deep Cove Village and the Lynn Canyon entrance and western parking lots.

BACKGROUND:

Previous discussions with Council regarding demand management has taken place in Council workshops held in January 2015, February, 2016, April 2016, and June 2016.

Deep Cove

In 2014 and 2015, the District completed a technical study, public opinion survey, and an in-depth community engagement process regarding parking and access issues in Deep Cove. The outcome of this work was a made-in Deep Cove Parking and Access Implementation Plan that reflected the trade-offs and compromises settled on by the community after considering the range of alternative viewpoints and the technical information.

Actions in the plan supported by the majority of the participants included:

- Maximizing the use of overflow parking lots
- Review the rules and solutions for Panorama Drive parking
- Increase enforcement of parking regulations
- Optimize the regulations and improve the street use in the village core
- Provide parking management coordination for special events

As of summer 2017, all of these actions had been undertaken.

In summer 2017 the District:

- Piloted traffic control flaggers in village to help manage traffic on long weekends and special event days.
- Rangers issued parking tickets in the Deep Cove Parks and roadways
- Transportation created a traffic plan with on-site signage to direct tour buses to permitted areas
- District secured vehicle parking at Cove Cliff and Seycove School July to September for overflow parking
- All Special Events in Deep Cove required a parking and traffic management strategy which included shuttling
- Implemented a 3-hour parking limit at the Panorama Park lot to encourage turn over.

Lynn Canyon:

The District has implemented a 3-hour parking restriction at Lynn Canyon in the upper parking lot to encourage visitor turn over.

Tour buses are allowed to park in specific locations, and are required to purchase a parking ticket for \$25 for each visit.

A new parking lot was opened on the east side of Lynn Canyon Park, off Lillooet Road, as an alternate staging area from Peters Road access. There are 30 stalls available. Signage and flyers were installed last summer.

Renovations to the central area parking to improve parking and traffic circulation is budgeted for fall 2018.

EXISTING POLICY:

The Parks and Open Spaces Strategic Plan, Lynn Canyon Park Central Area Improvement Plan, Panorama and Deep Cove Parking Study and the District's Transportation Plan all call for the use of demand management. Please see details in Appendix A, attached.

ANALYSIS:

Deep Cove:

As a result of the Deep Cove Dialogue and the technical study several operational changes were made in 2015, 2016 and 2017 to alleviate the issues created by the ongoing annual increase in visitor traffic to Deep Cove.

While these measures were successful in providing relief to the Panorama Drive residents, and managed to locate additional parking capacity away from the village core, significant diversion of private vehicle traffic coming to Deep Cove is not being achieved.

It is staff's understanding that Council does not wish to implement pay parking or divert visitors away from Deep Cove at this time. Therefore the pilot demand management and communications program will aim to change the public's transportation mode of choice at the time they make a decision to visit Deep Cove, before they leave home.

Lynn Canyon:

Lynn Canyon Park also suffers from traffic congestion and spill-over parking onto the adjacent residential streets, which resulted in complaints from homeowners in 2017. A 3-hour parking limit was established on adjacent streets in late 2017.

The west parking lots at the park experienced over 500 tour group bus visits between May and September last year.

The District has used the tools at its disposal under current Council direction to reduce visitor load and restrict parking at both locations. We will continue to use these tools, however, given that the number of visitors and vehicles is continuing to increase each year, the time has come to start using demand management techniques and communications to reduce the number of private vehicles arriving daily at Lynn Canyon and Deep Cove, and to manage the significant impact of tour buses at both locations.

Given that pay parking, a primary demand management tool, is not currently an option, staff are proposing a pilot summer shuttle bus, new rules for tour buses, live feed parking information, and transportation choice marketing as the next steps.

Proposed Parks Demand Management & Communications Program Summer 2018:

Summer Trailhead Shuttle Service:

Staff are proposing to run a pilot summer shuttle bus service during the peak visitor months of June, July and August this year. Two looped routes will be established with pick-up and drop-off at the following locations:

Route 1 - Seabus – Cates Park – Deep Cove – Cates Park – Seabus

Route 2 - Seabus – Lynn Canyon west – Lynn Headwaters west – Lynn Canyon west - Seabus

- The shuttles will be free of charge to the public during the 2018 pilot program.
- The shuttles will run 10 am to 4 pm Friday through Sunday in June, and 7 days a week through July and August.
- The buses and drivers will be contracted from a private firm. Several quotes have been submitted.
- The buses will be branded with a graphic wrap.
- A marketing program using social media and advertising will be executed to encourage public use.
- We will survey shuttle users to gather demographic and other information.

Estimated cost: \$56,400 - \$77,000 incl. taxes (June – August)

Staffing resources: Purchasing staff for contract negotiation and risk management.
Communications staff for creative design of bus wrap and marketing program
Parks staff for operational liaison
Transportation staff for planning logistics

Tour Bus Traffic Management:

The District has two options for further management of private tour buses:

- 1) Ban tour buses from the park parking lot at Lynn Canyon and the village core at Deep Cove
- 2) Establish new tour bus parking areas which are well-removed from the village centre of Deep Cove and the Lynn Canyon west parking area, and charge for the use of them

In option 1 - Parking tour buses in Deep Cove village, in the Lynn Canyon west parking lot, at Lynn Headwaters west entrance and/or on any nearby residential streets will be strictly prohibited.

In option 2 - Tour buses will be permitted to drop off passengers at the entrance, and park in a designated area until pick-up time, when they can return to the entrance and retrieve their passengers.

Outreach directly to the tour bus companies as well as a partnership with Tourism Vancouver will ensure we reach our target audience with the new rules.

Estimated cost: \$2,000
Staffing resources: Communications staff for messaging and outreach, sign design
Bylaws staff for enforcement
Parks staff for operations
Transportation staff for planning logistics

Live Feed Parking Information:

The District will install webcams at the overflow lots in Deep Cove, and live stream the feed at DNV.org to provide the public with real-time visual information about available parking capacity at these lots. See link to BC Ferries camera feed here for a similar example: http://www.bcferrries.com/current_conditions/sailing_detail.html?route=03&dept=HSB or look at bcferrries.ca under 'current conditions'.

The cameras will be positioned in such a way and be of low enough resolution to not breach privacy rules by, for instance, showing license plate numbers. Signs will be posted advising the public that the lots are monitored by camera.

Estimated cost: \$4,000
Staffing resources: Transportation and Public Works for camera installation logistics
Communications for signage
Communications and IT for web feed

Demand Management Marketing:

The District will work with a creative agency to develop and execute a transportation demand management marketing and publicity program targeting park visitors, which will use a range of tactics to encourage behaviour change. Primary methods include, advertising through a variety of channels (traditional media, outdoor etc.) and innovative social media campaigns.

Estimated cost: \$50,000 – 70,000
Staffing resources: Communications and Transportation for program design and messaging
Communications for execution with outside agencies

Timing/Approval Process:

Approval is being sought now so that the necessary behind the scenes work can take place in time to launch the program in early June for the summer 2018 season (June/July/August).

Financial Impacts:

Funding has already been approved by Council within the 2018 Financial Plan under Demand Management Communications.

Public Input:

Visitors who take the pilot shuttle service will be surveyed to gather information on demographics, how they heard about the service, whether they would use it again, and any suggestions they would make for future improvements.

Spot intercept surveys will take place in both locations over the summer to determine how visitors make their transportation choices and what would motivate them to make a change.

Conclusion:

Given that we have reached the appreciable limit of existing tools to limit private vehicle and tour bus visits to Deep Cove village and Lynn Canyon Park, staff are seeking Council's approval to proceed with a suite of demand management tools and communications program in the summer of 2018. The data gathered from this pilot program will inform the next Council's decision-making on future use of demand management tactics.


Options:

1. Council directs staff to proceed with the Proposed Parks Demand Management and Communications Program for summer 2018.
2. Council provides alternate direction.
3. Council instructs staff to not proceed with any demand management measures.

Respectfully submitted,



Mairi Welman
Manager, Strategic Communications
& Community Relations



Susan Rogers
Manager, Parks

REVIEWED WITH:

- Sustainable Community Dev.
- Development Services
- Utilities
- Engineering Operations**
- Parks**
- Environment
- Facilities
- Human Resources

- Clerk's Office
- Communications**
- Finance
- Fire Services
- ITS
- Solicitor
- GIS
- Real Estate

External Agencies:

- Library Board
- NS Health
- RCMP
- NVRC
- Museum & Arch.
- Other:

APPENDIX A

Policy Detail

The Parks and Open Spaces Strategic Plan provides the following policy direction:

Adaptive Management -- Adopt an approach to managing growth and changing trends in park activities that is innovative, adaptable, and responsive to evolving social and environmental expectations.

Develop strategies to address congested traffic and parking pressures in high use parks and during peak times and special events.

Work in partnership with Transportation Planning to manage parking and access and minimize impacts on surrounding neighbourhoods:

- Encourage the use of nearby parking lots (i.e. schools and recreation centres) for overflow parking. Provide public information on overflow parking areas (i.e. way finding signage program, web information, map of parking restrictions)
- Encourage carpooling, more transit and shuttles to support special park and community events
- Require on-site parking and traffic management during larger events, through the use of volunteers, event organizers, bylaw and auxiliary police
- Consider designating shorter term parking (i.e. 2 hrs) in high use parks to encourage turn over
- Consider pay parking in high use parks during the summer season.
- Where feasible and effective, consider expanding existing parking lots in parks to meet demand.

The Lynn Canyon Park Central Area Improvement Plan calls for:

- Parking and circulation improvements

The Panorama and Deep Cove Parking Study calls for:



- Integration of parking and traffic management strategies during high use times

The Transportation Plan has a section on demand management, and provides the following direction:

- Implementation of Transportation Demand Management (TDM) measures is a critical part of creating a complete, sustainable community.
- The District's objective is to implement strategic and practical TDM measures to make walking, cycling and transit preferable to driving.
- Implement TDM measures in conjunction with walking, cycling and transit improvements.

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> <i>Council Workshop</i> Regular Meeting	Date: <i>February 27, 2018</i>
<input type="checkbox"/> Other:	Date: _____

Dept. Manager	 GM/ Director	 CAO
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The District of North Vancouver REPORT TO COMMITTEE

February 8, 2018

AUTHOR: Susan Rogers, Manager – Parks

SUBJECT: Proposed Park Regulation Bylaw 8310, Bylaw Notice Enforcement Bylaw 8311 and Fees and Charges Bylaw 8321

RECOMMENDATION:

That the proposed bylaws be referred to a Regular Meeting of Council to be given FIRST, SECOND and THIRD readings:

- 1) Park Regulation Bylaw No. 8310, 2018;
- 2) Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8311, 2018 (Amendment 36)

REASON FOR REPORT:

This report is to seek Council approval for the proposed new Park Regulation Bylaw No. 8310, 2018 and corresponding amendment to the Bylaw Notice Enforcement Bylaw 8310 (Attachment 1). The current District of North Vancouver Parks Control Bylaw 2733 (Attachment 2), in effect since 1961, is out of date and does not address many of the community and usage issues in parks, and therefore has limited management, regulatory and enforcement capability.

SUMMARY:

The proposed new Park Regulation Bylaw 8310 has been developed to regulate protection of parks assets, environment and natural areas, address recreational activities not included in the existing bylaw and also to formalize a park permit system that will set regulations and conditions to specific park activities, when required.

The proposed Park Regulation Bylaw 8310 addresses the following issues:

- Protection and preservation of park natural features and wildlife
- Regulating & addressing new recreational and commercial activity, not included in the current park bylaw
- Encroachment, illegal dumping, and storage of materials in parks
- Firearms, fireworks, hunting and explosive materials
- Vehicles and motorized traffic

- Bicycling, skateboarding and roller skating
- Nuisance and public conduct – alcohol, noise, littering, fires, camping, advertising
- Homeless and overnight camping
- Swimming & boating
- Park permits to regulate activities, as required
- Enforcement and fines

The attached matrix provides details of the proposed bylaw additions and/or amendments in relation to the existing Park Control Bylaw 2733.

BACKGROUND:

The proposed Park Regulation Bylaw 8310 has been introduced and discussed at several Committee of the Whole meetings, most recently on May 16, 2017.

EXISTING POLICY:

Legislation

Under Section 8 of the Community Charter, a Council may, by bylaw, regulate, prohibit, and impose requirements in relation to public places such as parks.

DNV Policy - Parks and Open Space Strategic Plan

The Parks and Open Space Strategic Plan was adopted by Council in 2012. This document sets the direction for the use, management and protection of parks and open spaces for the community. It recognizes the value and importance of parks and recreation to District residents, and with growing demand management, the park bylaw is one tool to ensure the safe access of park users, and to protect District parks and their environments and natural resources.

Parks Control Bylaw 2733

The current District of North Vancouver Park Control Bylaw 2733 was adopted in 1961, with several minor amendments between 1967 and 2003 . Since the adoption of the 1961 bylaw, a growing number of deficiencies have been identified that limit effective regulation of use and management of parks and enforcement, when required.

ANALYSIS:

The attached matrix summarizes some of the key additions and amendments to the new parks bylaw. One significant addition to the bylaw refers to Homeless and Overnight Camping regulations which is discussed below.

Homeless and Overnight Camping

Overnight camping in parks is not permitted, except under special conditions, and with approval from Council. To be consistent with recent court cases regarding use of parks by homeless people, the new Park Regulation Bylaw, does permit the homeless to camp overnight in parks, within a specific time frame. Recent court decisions have made it clear

that it is unconstitutional for municipalities to completely ban overnight camping in parks by homeless people. In the 2016 BC Supreme Court case of *Abbotsford v. Shantz* (2015) BCSC 1909 (CanLII), the court declared that Abbotsford's Parks Bylaw contravened the constitutional right to life, liberty and security of the person to the extent that it prohibited sleeping or being in a park overnight or erecting a temporary shelter in a park without permits. Similarly, in *City of Victoria v. Adams* (2009) BCCA 563 (CanLii), the court of appeal confirmed the trial judge's decision that in the absence of an adequate number of low-barrier shelter beds, homeless people must be allowed to seek shelter in parks and therefore the City park bylaw which prohibited overnight camping was unconstitutional. The courts have held that municipalities may limit the hours of overnight camping by the homeless, but cannot completely ban the activity.

The provisions in the new Park Regulation Bylaw regarding overnight camping by homeless people reflect the rulings in these recent court decisions and are consistent with bylaws in other communities. The following municipalities have similar provisions permitting homeless people to camp in parks during specified hours: Vancouver, Victoria, Abbotsford, Chilliwack, Parksville and Duncan. The new bylaw permits overnight camping by homeless people but only during specified hours (7pm to 9am) and under specific conditions (specified distance from playgrounds, etc.). The bylaw does not permit camping by anyone other than homeless people.

Timing/Approval Process:

The approval and implementation of the new park bylaw in 2018 would support effective management of the parks for the 2018 season.

Concurrence:

The new Park Regulation Bylaw has been developed by Parks staff in collaboration with the Bylaw Enforcement group and the Municipal Solicitor. The new bylaw reflects the best management practice for park regulation bylaws. In addition, RCMP, Fire Services and DNV Environment was consulted in the review of the new bylaw.

Financial Impacts:

N/A

Liability/Risk:

N/A

Environmental Impact

The proposed Park Regulation Bylaw will support the District's goal of protecting the natural environment and natural areas, with a focus on the protection of public parkland.

Public Input:

The proposed Park Regulation Bylaw was reviewed by the Parks and Natural Environment Advisory Committee in 2017 and discussed at a Council Committee of the Whole in May, 2017.

Conclusion:

Approval of the proposed Park Regulation Bylaw will provide improved tools for managing community usage of parks and will support more effective enforcement, as required.

Options:

Option 1 –

That the proposed bylaws be referred to a Regular Meeting of Council to be given FIRST, SECOND and THIRD readings:

- 1) Park Regulation Bylaw 8310
- 2) Bylaw Notice Enforcement Bylaw 8311

Option 2 –

That the proposed bylaws not be referred to a Regular Meeting of Council.

Respectfully submitted,



Susan Rogers
Parks Manager

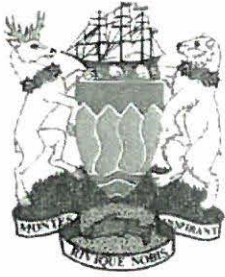
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<input type="checkbox"/> Development Services	_____	
<input type="checkbox"/> Utilities	_____	
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<input type="checkbox"/> Parks	_____	
<input type="checkbox"/> Environment	_____	
<input type="checkbox"/> Facilities	_____	
<input type="checkbox"/> Human Resources	_____	
<input type="checkbox"/> Clerk's Office	_____	
<input type="checkbox"/> Communications	_____	
<input type="checkbox"/> Finance	_____	
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External Agencies:		
<input type="checkbox"/> Library Board	_____	
<input type="checkbox"/> NS Health	_____	
<input type="checkbox"/> RCMP	_____	
<input type="checkbox"/> NVRC	_____	
<input type="checkbox"/> Museum & Arch.	_____	
<input type="checkbox"/> Other:	_____	

Current Parks Control Bylaw 2733 and Proposed Parks Regulation Bylaw 8310

Current Park Control Bylaw 2733, 1961	Proposed bylaw addition and/or amendment in new Parks Regulation Bylaw 8310	Rationale
Title – Parks Control Bylaw 2733 ; original bylaw developed in 1961 (some amendments in 2003)	Title - Park Regulation Bylaw 8310 This bylaw is current and addresses the issues and challenges in the parks system; includes new terminology	Addresses new park recreation and regulation management in parks that have emerged since 1961,
No Table of Contents to identify regulatory areas in parks	New bylaw incorporates a Table of Contents clearly outlining the components of the new bylaw	Provides clarity to bylaw officers and the public
Interpretation Section - 6 definitions (ie park, helmet, skateboard, traffic control device etc)	Interpretation Section – additional park related definitions added to include: commercial activity, bicycle, domestic animal, highway, homeless person, organized activity, sport, park use permit, swimming, beach, contaminant etc	Additional park, recreation, & regulatory terms required to clarify definitions and guide the management of parks more effectively
9 B – Park Hours - Parks hours closed from 10 p.m. – 6:00 a.m.	Hours of Public park use continue from existing park bylaw 10 p.m. – 6:00 a.m., unless otherwise posted – the section expands with different options for public park hours (as it relates to special events & special permits etc) Removed the list of individual parks as per 9C of the current parks bylaw	Park hour regulations support protection and management of park infrastructure, when required; some exceptions listed under the park permit
General Public Conduct – limited reference to public conduct	General Public Conduct – new section on Homeless Activity in Parks under Section 2; new addition regarding alcohol etc.	Increasing homeless in parks requires some regulations when overnight camping is permitted. and not permitted
Natural parkland protection - Limited direction on specific elements to protect in natural park and wildlife areas	Protection of Natural Parks & Wildlife - new and expanded section to address issues related to protecting the natural parkland, entitled Protection & Preservation of Natural Park Objects & Wildlife.	New section allows more direction on regulating and controlling the use of sensitive areas within parkland (includes fish, illegal harvesting, domestic animal memorials, waste water etc.)
Limited direction on regulations as they relate to park Structures & Infrastructure	Park Structures & Infrastructure – Added section that refers to park utilities, graffiti, unauthorized trail construction, shelters etc	This section addresses a number of park issues that the existing bylaw does not specifically reference.
Vehicles in Parks – limited reference to vehicles & parking within parks	Vehicles & Motorized Traffic – an expanded section to reference	Vehicles and parking in parks has become an issue

	parking in parks, trailers, all terrain vehicles, cates park boat launch etc	that requires more direction.
No reference to Fromme Mtn Service Road ; Mountain Highway gravel road, and regulations related to use	Fromme Mountain Service Road – service road north of Mountain Highway access gate; clarifies direction on adjacent land managers with permission to access the Fromme Mtn/ service road	Mountain Highway north has become integrated into parks and recreation use since the 1961 park bylaw, as part of the alpine trail plan, and requires regulation
No reference to hunting or firearms or explosive materials in existing bylaw	No Firearms, hunting, explosive materials & fireworks are permitted, unless authorized under a park permit.	Bylaw addresses issue related to hunting & explosive materials in parks
Reference to skateboard and rollerskating in bylaw, but not specifically cycling.	Bicycling, Skateboarding & Roller skating – add line that these activities are permissible unless otherwise posted. New bylaw references cycling as a defined activity	Recognizes that these activities require some direction on when and where they are permitted.
Waterfront parks and boating - Current bylaw has no reference to boating as it relates to waterfront parks	Boating – new section that provides direction on recreational boating, floats, wharfs at waterfront parks.	With growing popularity in water recreation, the bylaw supports public safety through regulation
Games & Sports – limited reference to sports and specific recreational activities that require some direction	Games and Sports – added section addresses new recreational activities that include archery, motor driven flying apparatus, golf etc	New recreation & sports have developed that require some direction through regulation
Park Special Events - current bylaw does not reference Special Events in Parks	Park Special Events – added new section to address Special Events in Parks	With hundreds of annual special events in parks, the bylaw provides direction on process, under a park permit
Commercial Use - Current bylaw does not reference Commercial Use in Parks	Commercial Activities – new section on requirements related to Commercial activities	With growing requests for commercial use in parks, the bylaw provides direction on process
Park permits – Current bylaw does not reference park permits for specific park uses	Park Use Permits & Fees – new section that outlines when park use permits & fees are required	The Parks Department is experiencing an increase in activities and events that require park permits to manage
Enforcement -Existing bylaw provides limited information on Enforcement Section 10. 1 10.2 10.2	Part 6 – Enforcement and Part 7 Repeal & Severability - New and expanded section on Enforcement and Repeal under Bylaw Notice Enforcement Bylaw 8311, that discusses Obstruction, Stop Work	Provides better direction to bylaw officers, RCMP and park rangers

	Orders, Appeal, Default, Offences & Penalties etc	
Ticketing – only 12 designated expressions, tickets and fines	Ticketing – additional designated expressions for tickets/fines have increased, under new Fees and Charges Bylaw, 8312	Provides bylaw officers with clear direction on ticketed items



District of North Vancouver

Park Regulation Bylaw

BYLAW 8310

Effective Date –

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The Corporation of the District of North Vancouver

Bylaw 8310

A bylaw to regulate parks pursuant to section 8(3)(b) and (j)
of the *Community Charter*, SBC 2003, c. 26

The Council for The Corporation of the District of North Vancouver enacts as follows:

PART 1 – TITLE & INTERPRETATION

Title

1.1. This bylaw may be cited as the “Park Regulation Bylaw No. 8310, 2018”.

Definitions

1.2. In this Bylaw, unless the context requires otherwise:

“**All-Terrain Vehicle**” means a motorized wheeled vehicle designed for travel on and off roadways, and includes a snowmobile, but does not include a Mobility Aid;

“**Beach**” means the foreshore area adjacent to a Park;

“**Bicycle**” means a device having any number of wheels that is propelled by human power and on which a person may ride, but does not include a skateboard, roller skates, or in-line roller skates;

“**Bylaw Enforcement Officer**” means a Park Ranger, Environmental Protection Officer, Environmental Control Technician, Animal Welfare Officer, Royal Canadian Mounted Police officer, officer or member of the District’s fire department, or any official or employee of the District whose designated duties include the enforcement of bylaws within the District;

“**Commercial Activity**” means any activity carried on for the purpose of earning profit or acquiring customers, or for which a fee is charged and includes but is not limited to the following:

- (a) selling, displaying for sale, exchanging, bartering or offering to sell, exchange, or barter any food, refreshments, goods, materials or services;
- (b) posting, affixing, painting, publishing or distributing any notice, advertisement, sign, or placard or handouts of any kind, except on information boards provided expressly for that purpose;
- (c) operating or parking any Vehicle displaying advertising or equipped with a public address system for the purpose of advertising, promoting, or demonstrating;
- (d) providing instruction or offering to provide instruction to another person for gain or in the expectation of a fee, reward, profit or other benefits;
- (e) bus tours;
- (f) guided foot tours;

- (g) kayaking tours, rentals and/or launching services;
- (h) bike tours or rentals;
- (i) movie, television or other filming;
- (j) mobile food trucks or ice cream trucks;
- (k) commercial dog walking;
- (l) exercise classes; or
- (m) day camps;

“Contaminant” means any substance which may adversely affect water quality, harm an ecosystem, or render water or air harmful to people, wildlife or plants;

“Dawn” means the time of sunrise as posted on the website for Environment Canada or its successor;

“District” means the Corporation of the District of North Vancouver;

“Domestic Animal” means any mammal, reptile, amphibian, fish or bird that has been domesticated as a pet or farm animal;

“Dusk” means the time of sunset as posted on the website for Environment Canada or its successor;

“Fees and Charges Bylaw” means the *District of North Vancouver’s Fees and Charges Bylaw No. 6481*, as amended or replaced from time to time;

“Fire Permit” means a permit issued pursuant to the *Fire Bylaw No. 7481*, as amended or replaced from time to time;

“Fireworks” means devices that explode or burn to produce visual or sound effects and such other explosives as may be designated as such pursuant to the *Fireworks Act*, RSBC 1996, c. 146, as amended, or the *Explosives Act*, RSC 1985, c E-17, as amended, or the regulations associated with either of those statutes;

“Gated Park” means any Park equipped with an entrance gate to control or prevent vehicular or other access to the Park;

“Helmet” means a protective device intended to be worn on the head and having a smooth, rigid and durable outer surface, constructed so that the helmet is capable of absorbing energy on impact, strongly attached to a strap designed to be fastened under the chin of the person wearing it, and be undamaged from use or misuse;

“Highway” means a highway as defined in the *Street and Traffic Bylaw No. 7125, 2004*, as amended or replaced from time to time;

“Homeless Person” means a person who has no fixed address and no predictable safe residence to return to on a daily basis;

“Mobility Aid” means a device that is used to facilitate the transport of a person with a physical disability, including a manual wheelchair, electric wheelchair and scooter;

“Natural Park Object” means any tree, shrub, flower, herb, grass, fungi, indigenous flora and fauna or plant of any kind, living or dead, and all soil, sand, silt, gravel, rock, mineral, wood, fallen timber, stream, lake, pond, or other body of water or watercourse within a Park;

“Organized Activity” means:

- (a) any activity involving a group of ten or more, other than a single family unit, which limits access by the general public to a portion of a Park; or
- (b) any activity that involves instruction or training or the provision of goods or services in exchange for a fee or other reward;

“Organized Sport” means any game or sport which is played by two or more persons who play together as part of a team in a league or association;

“Park” means any real property owned, occupied or controlled by the District and used by the public for pleasure, recreation or other community purposes, including but not limited to dedicated parks, Beaches, District-controlled water lots, forested recreation areas, conservation areas, Maplewood Farm, Lynn Canyon Ecology Centre, Murdo Frazer Pitch and Putt, and the Northlands Golf Course, but does not include any municipal land leased to a third party;

“Park Use Permit” means any permit issued by the Parks Manager pursuant to Part 5 of this Bylaw;

“Parks Manager” means the person appointed to the position of “Manager, Parks and Environment” by District Council or authorized designate;

“Playing Field” means a grass or artificial turf field that is owned, leased or controlled by the District and used or intended to be used for the playing of an Organized Sport;

“Posted Sign” means a written sign posted by or at the direction of the Parks Manager in a Park pursuant to section 5.1(s) or contained in a brochure or map produced by the District in relation to a Park;

“RCMP” means the Royal Canadian Mounted Police;

“Roller Skates” means any wheeled footwear or wheeled device that may be attached to the foot or footwear, which wheels may be used by the wearer for moving or propulsion, and includes but is not limited to in-line skates commonly known as rollerblades;

“Skateboard” means all wheeled objects, coasters, toys, conveyances, or similar devices used for transportation or sport which are propelled by human power, including longboards, but not including Bicycles or Roller Skates;

“Special Event” means an event or activity conducted within a Park that attracts or is intended to attract participants or spectators, and includes but is not limited to:

- (a) an Organized Activity;
- (b) an Organized Sport or other sporting event;
- (c) a festival, concert, musical event, or theatrical performance or display;
- (d) a competition, tournament or race;
- (e) a fireworks display;
- (f) any event requiring a liquor licence;
- (g) any event requiring the booking of Park picnic shelter;
- (h) any event involving the reservation of specific Park areas for exclusive use;
- (i) any event or project requiring construction, landscaping, or other site works that may cause disturbance to a Park, except any such work carried out by the District or otherwise authorized by the Parks Manager; and
- (j) a procession, demonstration or march.

“Stop Work Order” means a stop work order issued pursuant to section 6.2 of this bylaw;

“Swimming Beach” means an area adjacent to the shore of the ocean or other body of water designated as a ‘Swimming Beach’ by Posted Sign;

“Swimming Zone” means an area designated by buoys and/or rope within a Swimming Beach as an area outside of which swimming is prohibited;

“Temporary Shelter” means a tent, lean to or other form of shelter that is temporary and portable in nature that is constructed from nylon, plastic, cardboard or other similar non-rigid material, and that covers an area of less than ten (10) square meters.

“Trail” means any footpath or other pathway in a Park and includes unimproved road allowances;

“Trailer” means a wheeled device with or without motive power designed for carrying persons or property and for being drawn by a Vehicle;

“Vehicle” means an automobile, truck, recreational vehicle, motorcycle, All-terrain Vehicle or other vehicle propelled by a motor, but does not include a motor-assisted cycle or Mobility Aid or trailer;

“Vessel” means any boat or other craft used, or capable of being used, to navigate on water and includes, without limitation, jet-skis, canoes and kayaks;

“Wharf” means a landing, pier, ramp or float for Vessels and watercraft within a Park; and

“Wildlife” means any wild mammal, bird, reptile, fish, amphibian or other indigenous creature.

PART 2 - PARK REGULATIONS

Hours of Public Use of Parks

2.1 A person must not enter or remain in:

- (a) a Park between 10:00 p.m. and 6:00 a.m., or a Gated Park between Dusk and Dawn, except where authorized to be in such Park:
 - (i) by having paid the applicable admission or other fee pursuant to the Fees and Charges Bylaw;
 - (ii) as an attendee at an authorized Special Event; or
 - (iii) pursuant to a valid Park Use Permit; or
- (b) a Park during such hours that the Park is temporarily closed as indicated by Posted Sign.

2.2 Notwithstanding section 2.1(a), a person may use those portions of Panorama Park and Deep Cove Park that are adjacent to Gallant Avenue and Banbury Road for the purpose of vehicular or pedestrian access to a Vessel moored at Gallant Street Wharf.

2.3 Except in accordance with a valid Park Use Permit, a person shall not park or leave a Vehicle or Trailer:

- (a) in any Park after 10:00 pm or before 6:00 am; or
- (b) in any Gated Park between Dusk and Dawn.

General Public Conduct

2.4 A person must not do any of the following in a Park:

- (a) light a fire without a valid Fire Permit, including any gas-powered apparatus or open flame;
- (b) litter;
- (c) deposit broken glass or cause glass to shatter by throwing or striking;
- (d) throw or place upon the ground or any other vegetation or Park surface any lighted or extinguished match, cigar, cigarette or other burning substance;
- (e) dispose of coals, ash or other material, except in containers provided for the purpose; or
- (f) urinate or defecate, except in a facility designed for that purpose;
- (g) engage in riotous, violent or threatening behaviour or use profane or abusive language.

- 2.5 Except in accordance with a valid Park Use Permit, a person must not do any of the following in a Park:
- (a) possess or consume alcoholic beverages;
 - (b) camp or sleep overnight, except in accordance with section 2.6 of this bylaw;
 - (c) disobey or act contrary to the instructions, rules or prohibitions contained on any Posted Sign; or
 - (d) make any noise or sound that disturbs, or is likely to disturb, the peace, quiet enjoyment or comfort of persons in the Park, whether amplified or not.
- 2.6 Notwithstanding sections 2.1(a) and 2.5(b), a Homeless Person may erect and occupy a Temporary Shelter in a Park between the hours of 7:00 p.m. on one day and 9:00 a.m. of the next day, provided that the Homeless Person must:
- (a) not erect the Temporary Shelter in, on or within 10 metres of any playground, sports field, skateboard bowl, tennis court, washroom facilities, picnic shelter, footpath, trail, cemetery, golf course, ornamental garden or horticultural display, a Highway within a Park, environmentally sensitive area, or any area within a Park that has been designated for an event or activity under a Park Use Permit;
 - (b) remove the Temporary Shelter completely by 9:00 a.m. each morning and not leave any possessions, debris, litter or any other article in the Park;
 - (c) not obstruct a Highway or interfere with the lawful use of a Highway by any person or vehicle;
 - (d) not obstruct a District employee in the performance of his/her duty;
 - (e) not violate any other provisions of this bylaw.
- 2.7 The Parks Manager may, in addition to any other authority granted under this bylaw, remove or cause to be removed from any Park any Temporary Shelter that is not in compliance with this bylaw.

Protection and Preservation of Natural Park Objects and Wildlife

- 2.8 A person must not do any of the following in a Park:
- (a) introduce any Contaminant into any lake, creek, river, stream, pond, watercourse or any other body of water within a Park or otherwise foul or pollute such body of water;
 - (b) discharge any waste water (including water from a swimming pool, hot tub, fish pond or aquarium) into a Park;
 - (c) carry, transport or deposit any domestic, commercial, industrial, construction or other waste or materials that were not generated in or did not originate from a Park into or upon a Park or deposit the same into a waste receptacle in a Park;

- (d) fish for, harvest or otherwise capture shellfish in a Park, except in areas designated by Posted Signs and in accordance with all applicable laws and regulations; or
- (e) leave or abandon any Domestic Animal or any other Wildlife; or
- (f) deposit or place the remains of a Domestic Animal or any memorial or other object commemorating a Domestic Animal in a Park.

2.9 Except in accordance with a valid Park Use Permit, a person must not do any of the following in a Park:

- (a) cut, trim, prune, dig up, harvest, excavate, deface, remove, damage, move, injure or in any way disturb any Natural Park Object;
- (b) place, plant, deposit or allow any plant, tree, seeds, shrub, rocks, gravel, fill, concrete, soil, debris, building material, grass cuttings, plant cuttings, or branches or other materials or objects which did not originate in such Park; or
- (c) molest, disturb, feed, frighten, injure, kill, catch, trap or snare Wildlife.

Park Structures and Infrastructure

2.10 Except in accordance with a valid Park Use Permit or section 2.6 of this bylaw, a person must not do any of the following in a Park:

- (a) erect or construct, or cause to be erected or constructed, any tent, building, shelter, playground, pavilion, fence, drainage infrastructure, structure, Trail, ramp, landscaping or other structure or installation;
- (b) damage, deface, apply graffiti to, attach any poster to, alter, destroy, break or tamper with any fixture, sign, fence, landscaping, bench, fitting, equipment, structure, or building; or
- (c) damage, deface, tamper with or destroy any gas, electrical, water or other utility infrastructure or equipment.

2.11 The Parks Manager may issue a Park Use Permit authorizing a person to perform Trail construction, maintenance, repairs or other work within a Park.

Vehicles and Motorized Traffic

2.12 Except in accordance with a valid Park Use Permit or as permitted by Posted Sign, a person must not do any of the following in a Park:

- (a) park or operate a Vehicle, except on Highways, parking lots, and launching ramps;
- (b) drive or operate an All-Terrain Vehicle;
- (c) park a Vehicle or Trailer;
- (d) park a Vehicle or Trailer without paying the applicable fee for parking;

- (e) park a Vehicle or Trailer:
 - (i) for longer than is permitted by Posted Sign;
 - (ii) for a longer period than has been paid for;
- (f) park or drive a Vehicle or Trailer on grass;
- (g) park a Vehicle or Trailer overnight, except in the Cates Park Boat Launch parking area by having paid the overnight parking fee prescribed in the Fees and Charges Bylaw;
- (h) wash, clean, polish, repair, tune or do any maintenance or mechanical work to a Vehicle, Vessel or Trailer, except in an emergency. This section does not prohibit the rinsing of a Vessel at the Cates Park Boat Launch; or
- (i) leave a Vessel in a Park overnight.

2.13 Notwithstanding any other provision in this bylaw, authorized representatives of the following entities are permitted to use and park Vehicles on the gravel service road at the north end of Mountain Highway, north of the access gate, provided that in so doing they do not obstruct access:

- (a) Grouse Mountain Resorts;
- (b) Metro Vancouver;
- (c) Van Tan Club; and
- (d) other public agencies who require access for the purpose of servicing infrastructure.

Firearms, Hunting and Explosive Materials

2.14 Except as permitted by the Firearms Regulation Bylaw No. 6761, as amended or replaced, or as authorized by a Park Use Permit, a person must not use a bow, discharge a firearm, paintball gun, air pistol, BB gun, sling shot or other weapon, or ignite or discharge any combustible or other explosive material, including Fireworks, within a Park.

Bicycling, Skateboarding and Rollerskating

2.15 A person must not ride or use a Bicycle, Roller Skates or Skateboard on any sidewalk, Trail or roadway or elsewhere in a Park:

- (a) contrary to a Posted Sign; or
- (b) without wearing a Helmet, unless that person is a person for whom the wearing of a Helmet would interfere with an essential religious practice.

2.16 The parent or guardian of a person under the age of 16 years must not authorize or permit the person to use Roller Skates or a Bicycle or Skateboard in a Park unless that person is wearing a Helmet.

Boating

2.17 A person must not:

- (a) operate any Vessel within 50 metres of a Swimming Beach or Swimming Zone in such a manner as to endanger persons or property or otherwise interfere with the reasonable use and enjoyment of the water for wading, swimming or fishing; or
- (b) remove, destroy, damage, deface, break or tamper with any float, wharf, buoy, piling or lifesaving device within a Park.

Games and Sports

2.18 Except in accordance with a valid Park Use Permit, a person must not do any of the following in a Park:

- (a) use a Park or part thereof for an activity for which a fee or other charge is payable without first paying such fee or charge;
- (b) play any game or sport, except in areas designated and provided for such purpose and in accordance with all rules and regulations prescribed by Posted Sign;
- (c) fly any motor driven flying apparatus, except in areas designated for such purpose and in accordance with all rules and regulations prescribed by Posted Sign;
- (d) shoot any arrow or practice archery; or
- (e) play golf or strike a golf ball.

Special Events

2.19 A person must not conduct, hold or carry on any Special Event in a Park except with a Park Event Permit issued in accordance with the Community Events in Parks and Public Open Spaces Policy 12-5900-2.

Commercial Activities

2.20 A person must not carry on or conduct any Commercial Activity in a Park except in accordance with a valid Park Use Permit and any other applicable District bylaw.

PART 3 - PARK USE PERMITS AND FEES

Application for Park Use Permit

3.1 Any person wishing to conduct, hold or carry on any Commercial Activity in a Park must complete and submit an application for a Park Use Permit and pay the applicable fee, if any, prescribed in the Fees and Charges Bylaw. The application must include:

- (a) a written description of the proposed event or activity;
- (b) the proposed Park location for the event or activity, including a site plan if required by the Parks Manager;
- (c) a schedule of date(s) and time(s) for the proposed event or activity;

- (d) written proof that all other permits and licences required by law in relation to the event or activity, including, where applicable, a business licence, have been obtained; and
 - (e) any other information or documents required by the Parks Manager.
- 3.2 A Park Use Permit is valid only for the event or activity for which it is issued and the activities specifically set out in the Park Use Permit and may not be transferred to any other event or activity.
- 3.3 The holder of a Park Use Permit must:
- (a) produce such Park Use Permit for inspection upon request by a Bylaw Enforcement Officer; and
 - (b) comply with all of the terms and conditions of the Park Use Permit.

Exemption from Park Use Permit Requirement

- 3.4 Notwithstanding any other provision of this Bylaw, a Park Use Permit is not required for:
- (a) an activity conducted pursuant to and in accordance with a contract with the District; or
 - (b) a Special Event or Commercial Activity conducted by the North Vancouver Recreation and Culture Commission or the District.

Park Amenity Fees

- 3.5 A person wishing to use or attend any Park amenities or attractions must pay the applicable fee prescribed in the Fees and Charges Bylaw.

PART 4 - REMOVAL OF UNAUTHORIZED ITEMS

Removal of Unauthorized Items

- 4.1 Bylaw Enforcement Officers, the Parks Manager or a contractor acting under the direction of the Parks Manager may remove, detain and/or impound any chattel (including Vehicles and Vessels), structure, obstruction or other item parked, constructed, installed or left in, on, under or over a Park in contravention of this bylaw.
- 4.2 Any item that has been impounded pursuant to section 4.1 or any other provision of this bylaw may be reclaimed by the owner upon proof of ownership and payment to the District of the actual costs incurred by the District for removal and storage of the item.
- 4.3 If, after thirty days from the date of removal of an item in accordance with this bylaw:
- (a) the owner has not claimed the item; or
 - (b) the owner refuses to pay the District's costs,
- the District may sell the item at public auction and recover the removal fee prescribed in the Fees and Charges Bylaw from the proceeds of sale.

- 4.4 The proceeds of sale by public auction shall be applied first to the cost of the sale and second to the fees, costs and expenses payable to or incurred by the District or, if applicable, its towing contractor, and the balance shall be held for the owner. If the balance remains unclaimed at the end of one year from the date of sale, such balance shall be paid into the general revenue of the District and shall not be refundable to the owner.
- 4.5 No person shall prevent or attempt to prevent or interfere with the removal, detaining or impounding of any chattel, obstruction or vehicle by the District under this Part.
- 4.6 Notwithstanding any other provision of this bylaw, where, in the sole opinion of the Parks Manager, an item removed, detained, or impounded is a perishable article, has an apparent market value of less than \$2,000.00 or its custody involves unreasonable expense or inconvenience, the Parks Manager may choose not to proceed to public auction and may dispose of the chattel, obstruction or vehicle in any manner that he or she deems expedient.

PART 5 - AUTHORITY OF THE PARKS MANAGER

- 5.1 The Parks Manager is authorized to administer this bylaw, and, in particular, without limiting the generality of the foregoing, is authorized to:
- (a) temporarily close any Park or portion of a Park to public use for the purpose of construction, maintenance, repairs, removal of hazards, public safety, protection of the environment or to prevent vandalism or other unauthorized use;
 - (b) temporarily close any Park road, Trail or other areas in a Park to public use when deemed necessary for public safety and convenience;
 - (c) assign hazard ratings to Trails from time to time;
 - (d) limit the speed, weight, size, type or number of Vehicles or Trailers that may be operated or parked on a Highway or parking lot within a Park;
 - (e) limit the amount of time and locations in which a Vehicle and/or Trailer may be parked in a Park;
 - (f) restrict, limit or prohibit the parking of Vehicles and Trailers on a Highway;
 - (g) establish rules and regulations for the use of any Playing Field and for playing games or sports in other areas designated for such use;
 - (h) alter the hours of public use of any Park from those set forth in this Bylaw;
 - (i) designate areas in a Park:
 - (i) where parking is permitted, prohibited, or restricted;
 - (ii) where the use of cooking devices is permitted, prohibited or restricted;
 - (iii) where the use of Bicycles, Skateboards and/or Roller Skates is permitted, prohibited or restricted;

- (iv) where the riding of horses is permitted, prohibited or restricted;
 - (v) where cyclists or skateboarders must dismount;
 - (vi) for the use of motorized or non-motorized Vessels;
 - (vii) as Swimming Beaches or Swimming Zones; and
 - (viii) for the operation of motorized model vehicles or airplanes or other flying apparatus;
- (j) issue Park Use Permits for:
 - (i) Special Events;
 - (ii) Commercial Activities;
 - (iii) overnight parking in a Park; and
 - (iv) exemptions from applicable parking time limits;
 - (k) refuse to issue a Park Use Permit, in the Park Manager's sole discretion;
 - (l) place restrictions, conditions and limits on any Park Use Permit or on the event or activity to which the Park Use Permit relates;
 - (m) issue a Park Use Permit subject to such terms and conditions as the Parks Manager deems reasonable;
 - (n) require an applicant for a Park Use Permit to acquire and maintain insurance with respect to the permitted event or activity in an amount and form satisfactory to the Parks Manager;
 - (o) amend, suspend, revoke or refuse to issue a Park Use Permit to any person or group who has contravened the provisions of any previous Park Use Permit issued to that person or group or contravened the provisions of this bylaw or any other enactment;
 - (p) vary, amend or revoke any Park Use Permit;
 - (q) make rules and regulations relating to Special Events and Commercial Activities;
 - (r) authorize and contract for the construction, repair or maintenance of Trails, Trail improvements, playgrounds, landscaping, ramps, boardwalks, tents, buildings, shelters, pavilions, fences, drainage infrastructure, and any other structures, improvements or installations in a Park and issue Park Use Permits exempting persons from specific requirements of this bylaw in connection with such work; and
 - (s) erect or display or order the erection or display of Posted Signs in or about any Park in connection with any of the foregoing provisions of this section 5.1.

PART 6 - ENFORCEMENT

Obstruction

- 6.1 A person must not interfere with, delay, obstruct or impede a Bylaw Enforcement Officer or designate or other person lawfully authorized to enforce this bylaw in the performance of duties under this bylaw.

Stop Work Order

- 6.2 Where a person carries out work on or uses a Park in a manner which fails to comply with the provisions of this bylaw or a Park Use Permit, a Bylaw Enforcement Officer may issue a Stop Work Order requiring the person cease the work or use and to remedy the violation within the period of time specified in the Stop Work Order.
- 6.3 Subject to section 6.2, a person who has been issued a Stop Work Order pursuant to section 6.2 must comply with all of the terms of such Order within the time period specified.

Default

- 6.4 If the obligations stipulated in a Stop Work Order are not performed by the date specified therein, the District may remove any structure, materials, equipment or things installed, constructed, placed or left in a Park in violation of this bylaw and perform such remedial work as deemed necessary by the Parks Manager at the expense of the person defaulting and such costs will constitute a debt due and owing in accordance with section 17 of the *Community Charter*.
- 6.5 Whenever a person is in default of doing any matter or thing required to be done under this bylaw, the District, through its employees or agents, may do what is required to be done, at the expense of the person in default and such costs will constitute a debt due and owing in accordance with section 17 of the *Community Charter*.

Offences and Penalties

- 6.6 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, is deemed to be guilty of an offence against this bylaw and of a separate offence each day the violation is caused or allowed to continue and is liable upon conviction to a fine of up to \$10,000.

Enforcement by Ticket

- 6.7 Pursuant to section 264 of the *Community Charter*, this bylaw is designated as a bylaw that may be enforced by means of a ticket in the form prescribed and Bylaw Enforcement Officers are designated to enforce this bylaw.

Ticketing

- 6.8 The words or expressions listed below in the "Designated Expression" column are authorized to be used on a ticket issued pursuant to section 264 of the *Community Charter* to designate an offence against the respective section of this bylaw appearing opposite in the "Section" column. The amounts appearing in the "Fine" column below are the fines set pursuant to section 264 of the *Community Charter* for contravention of the respective section of this bylaw appearing opposite in the "Section" column.

Section number	Designated Expression (Short-Form Description)	Fine
2.1	In Park when closed	\$200
2.3	Vehicle or Trailer in Park when closed	\$200
2.4(a)	Light fire without permit	\$300
2.4(b)	Litter in Park	\$200
2.4(c)	Deposit broken glass	\$300
2.4(d)	Throw cigarette	\$200
2.4(e)	Dispose of coals improperly	\$300
2.4(f)	Urinate or defecate in Park	\$200
2.4(g)	Riotous behaviour in Park	\$200
2.5(a)	Possess or consume alcohol	\$200
2.5(b)	Camp or sleep overnight	\$200
2.5(c)	Disobey rules on Posted Sign	\$200
2.5(d)	Disturb peace	\$200
2.6(a)	Erect shelter too close to amenity	\$100
2.6(b)	Fail to remove shelter by 9:00 am	\$100
2.6(c)	Obstruct Highway in Park	\$200
2.6(d)	Obstruct District employee	\$200
2.8(a)	Contaminate water in Park	\$300
2.8(b)	Discharge waste water in Park	\$300
2.8(c)	Deposit waste in Park	\$300
2.8(d)	Fish where not permitted	\$250
2.8(e)	Abandon Domestic Animal in Park	\$500
2.8(f)	Deposit remains or memorial of Domestic Animal	\$200
2.9(a)	Damage Natural Park Object	\$500
2.9(b)	Place material in Park	\$500
2.9(c)	Disturb/kill Wildlife	\$500
2.10(a)	Build structure in Park	\$500
2.10(b)	Damage Park infrastructure	\$500
2.10(c)	Damage utility infrastructure in Park	\$500
2.12(a)	Park or operate Vehicle where not permitted	\$300
2.12(b)	Operate ATV in Park	\$100
2.12(c)	Park Vehicle or Trailer where not permitted	\$100
2.12(d)	Park Vehicle or Trailer without paying	\$100
2.12(e)	Park Vehicle or Trailer longer than permitted	\$100
2.12(f)	Park Vehicle or Trailer on grass	\$100
2.12(g)	Park Vehicle or Trailer overnight	\$100
2.12(h)	Wash or repair Vehicle, Vessel or Trailer in Park	\$100
2.12(i)	Vessel in Park overnight	\$300
2.14	Use of weapon or Fireworks in Park	\$300
2.15(a)	Ride or skate contrary to Posted Sign	\$100
2.15(b)	Ride or skate without Helmet	\$100
2.16	Permit child to ride or skate without Helmet	\$300
2.17(a)	Operate Vessel too close to Beach	\$300
2.17(b)	Damage float, buoy, etc.	\$200
2.18(a)	Use Park without paying fee	\$100
2.18(b)	Play sport contrary to Posted Sign	\$100

2.18(c)	Operate model vehicle	\$100
2.18(d)	Practice archery	\$100
2.18(e)	Play golf	\$200
2.19	Conduct Special Event without permit	\$300
2.20	Conduct Commercial Activity without permit	\$300
3.3(a)	Fail to produce permit	\$300
3.3(b)	Fail to comply with conditions of permit	\$300
6.1	Obstruct Bylaw Enforcement Officer	\$300

PART 7 - REPEAL & SEVERABILITY

Repeal

7.1 The Park Control Bylaw 2733 and all amendments thereto are repealed and all references in other District bylaws to the Park Control Bylaw No. 2733 are hereby amended to refer to the Park Regulation Bylaw 8310, 2018.

Severability

7.2 If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provisions of this Bylaw.

Amendment to the District of North Vancouver Wharf Regulation Bylaw 2002, 7333

7.3 Section 8 of the District of North Vancouver Wharf Regulation Bylaw 2002, 7333 is amended by adding the following as subsection (d):

(d) No person shall jump off of a wharf.

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

The Corporation of the District of North Vancouver

Bylaw 8311

A bylaw to amend the Bylaw Notice Enforcement Bylaw 7458, 2004

The Council for The Corporation of The District of North Vancouver enacts the following:

Citation

1. This bylaw may be cited as "Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8311, 2018 (Amendment 36)".

Amendments

2. Schedule A to Bylaw 7458 is amended by deleting all offences for the Park Control Bylaw 2733, 1961 and substituting the following:

Bylaw Section	Description	A1 Penalty Amount (\$)	A2 Discounted Penalty (within 14 days) (\$)	A3 Late Payment (after 28 days) (\$)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount (\$)
The following fines apply to the contraventions below:						
Park Regulation Bylaw 7626, 2018						
2.1	In park when closed	200	150	300	NO	N/A
2.3	Vehicle or Trailer in Park when closed	200	150	300	NO	N/A
2.4(a)	Light fire without permit	300	150	300	NO	N/A
2.4(b)	Litter in park	250	190	375	NO	N/A
2.4(c)	Deposit broken glass	300	150	300	NO	N/A
2.4(d)	Throw burning cigarette	200	150	300	NO	N/A
2.4(e)	Dispose of coals improperly	300	150	300	NO	N/A
2.4(f)	Urinate/defecate in park	200	150	300	NO	N/A
2.4(g)	Riotous behavior in park	200	150	300	NO	N/A
2.5(a)	Possess or consume alcohol	200	150	300	NO	N/A
2.5(b)	Camp or sleep overnight	200	150	300	NO	N/A
2.5(c)	Disobey rules on Posted Sign	200	150	300	NO	N/A
2.5(d)	Disturb peace	200	150	300	NO	N/A
2.6(a)	Erect shelter too close to amenity	100	75	150	NO	N/A
2.6(b)	Fail to remove shelter by 9:00 am	100	75	150	NO	N/A
2.6(c)	Obstruct Highway in Park	200	150	300	NO	N/A
2.6(d)	Obstruct District employee	200	150	300	NO	N/A
2.8(a)	Contaminate water in Park	300	225	450	NO	N/A
2.8(b)	Discharge waste water in Park	300	225	450	NO	N/A
2.8(c)	Deposit waste in Park	200	150	300	NO	N/A
2.8(d)	Fish where not permitted	250	190	375	NO	N/A
2.8(e)	Abandon Domestic Animal in Park	500	375	750	NO	N/A
2.8(f)	Deposit remains or memorial of Domestic Animal	200	150	300	NO	N/A
2.9(a)	Damage Natural Park Object	500	375	750	NO	N/A
2.9(b)	Place material in Park	500	375	750	NO	N/A
2.9(c)	Disturb/kill Wildlife	500	375	750	NO	N/A
2.10(a)	Build structure in Park	500	375	750	NO	N/A
2.10(b)	Damage Park infrastructure	500	375	750	NO	N/A

Bylaw Section	Description The following fines apply to the contraventions below:	A1	A2	A3	A4	A5
		Penalty Amount (\$)	Discounted Penalty (within 14 days) (\$)	Late Payment (after 28 days) (\$)	Compliance Agreement Available	Compliance Agreement Discount (\$)
2.10(c)	Damage utility infrastructure in Park	500	375	750	NO	N/A
2.12(a)	Park or operate Vehicle where not permitted	300	225	450	NO	N/A
2.12(b)	Operate ATV in Park	100	75	150	NO	N/A
2.12(c)	Park Vehicle or Trailer where not permitted	100	75	150	NO	N/A
2.12(d)	Park Vehicle or Trailer without paying	100	75	150	NO	N/A
2.12(e)	Park Vehicle or Trailer longer than permitted	100	75	150	NO	N/A
2.12(f)	Park Vehicle or Trailer on grass	100	75	150	NO	N/A
2.12(g)	Park Vehicle or Trailer overnight	100	75	150	NO	N/A
2.12(h)	Wash or repair Vehicle, Vessel or Trailer in Park	100	75	150	NO	N/A
2.12(i)	Vessel in Park overnight	300	225	450	NO	N/A
2.14	Use of weapon or fireworks in Park	300	225	450	NO	N/A
2.15(a)	Ride or skate contrary to Posted Sign	100	75	150	NO	N/A
2.15(b)	Ride or skate without Helmet	100	75	150	NO	N/A
2.16	Permit child to ride or skate without Helmet	300	225	450	NO	N/A
2.17(a)	Operate Vessel too close to Beach	300	225	450	NO	N/A
2.17(b)	Damage float, buoy, etc.	200	150	300	NO	N/A
2.18(a)	Use Park without paying fee	100	75	150	NO	N/A
2.18(b)	Play sport contrary to Posted Sign	100	75	150	NO	N/A
2.18(c)	Operate model vehicle	100	75	150	NO	N/A
2.18(d)	Practice archery	100	75	150	NO	N/A
2.18(e)	Play golf	200	150	300	NO	N/A
2.19	Conduct Special Event without permit	300	225	450	NO	N/A
2.20	Conduct Commercial Activity without permit	300	225	450	NO	N/A
3.3(a)	Fail to produce permit	300	225	450	NO	N/A
3.3(b)	Fail to comply with conditions of permit	300	225	450	NO	N/A
6.1	Obstruct bylaw enforcement officer	300	225	450	NO	N/A

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk



THE DISTRICT OF NORTH VANCOUVER

PARK CONTROL BYLAW

BYLAW 2733

Effective Date – May 9, 1961

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Original Bylaw	Date of Adoption
Bylaw 2733	May 9, 1961
Amending Bylaw	Date of Adoption
Bylaw 3616	November 28, 1967
Bylaw 4026	July 27, 1970
Bylaw 5099	August 23, 1978
Bylaw 5298	July 30, 1980
Bylaw 5311	September 2, 1980
Bylaw 6344	March 11, 1991
Bylaw 6388	August 26, 1991
Bylaw 6354	September 23, 1991
Bylaw 7384	April 7, 2003

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Park Control Bylaw – Bylaw 2733). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER

BYLAW 2733

A bylaw for the management, maintenance, improvement, operation, control and use of Parks and Community Buildings within the jurisdiction of the Municipal Council of the District of North Vancouver

WHEREAS under and by virtue of the provisions of the Municipal Act, being Chapter 255, R.S.B.C. 1960, The Council of every municipality may from time to time pass, alter and repeal bylaws dealing with parks and community buildings;

NOW THEREFORE the Council of The Corporation of the District of North Vancouver in open meeting assembled hereby enacts as follows:

1. **INTERPRETATION**

In this bylaw, unless the context otherwise requires, the following terms shall have the meanings hereinafter assigned to them, that is to say:

"Helmet" means a protective device intended to be worn on the head that must:

- have a smooth, rigid and durable outer surface,
- be constructed so that the helmet is capable of absorbing energy on impact,
- be strongly attached to a strap designed to be fastened under the chin of the person wearing it, and
- be undamaged from use or misuse.

(7384)

"Park" shall mean and include public parks, playgrounds, beaches, swimming baths or natatoriums and other public recreational places under the care, custody and jurisdiction of The Corporation of the District of North Vancouver.

"Park Superintendent" shall mean the Park Superintendent of the District of North Vancouver and any of his assistants.

(4026)

"Roller Skates" means any footwear or device which may be attached to the foot or footwear, to which wheels are attached, including, but not limited to, in-line skates commonly known as rollerblades.

(7384)

"Skateboard" means any wheeled object, coaster, toy, conveyance, or similar device that is used for transportation or sport and is propelled by human power, but does not include a bicycle or roller skates.

(7384)

"Traffic Control Device" means a sign, signal, line, meter, marking, space, barrier or device, placed or erected by authority of the Parks Superintendent.

(6388)

2. No person shall cut, break, injure or in any way destroy, despoil, remove or damage any tree, shrub, plant, turf or flower, or any building, structure, fence, sign, seat, bench or ornament of any

kind, or in any way foul or pollute any fountain, lake, stream, pool, pond, well or spring in or on any park, or injure, deface or destroy any notices, rules or regulations posted in any park.

3. No person shall leave or deposit any waste, offensive matter or other substance on any park or in any lake, stream, pool or pond within the limits of any park except in receptacles provided for such purpose.
4. No person shall sell or expose for sale any refreshments or any articles or thing in any park without a permit or licence.
5. No person shall molest, disturb, frighten, injure, trap, snare or kill any bird or animal in any park.
6. The Park Superintendent shall be responsible for the supervision of all parks and where, in his opinion, it is necessary, he shall restrict the use of all or any portion of a park and post appropriate signs and traffic control devices.

(6388)

7. No procession, march, drill, performance, ceremonies, concerts, gatherings or meetings be held in or any park without a permit.
8. No person shall take up a temporary abode overnight in or on any portion of any park, or obstruct the free use and enjoyment of any park or erect, construct, or build or cause to be erected, constructed or built in or on any park, any tent, building, shelter or other structure without a permit.
9. No person shall, without the authorization of the Park Superintendent, post, paint or affix any signs of any kind whatsoever in any park.

(4026)

- 9A. It shall be unlawful for any person to fail to obey the printed instructions, commands or otherwise, contained on any sign posted by the Park Superintendent.

(3616, 4026)

- 9B. Any park or part of a park which is closed to the free use of the public is closed daily from 2200 to 0600, which hours of closure may be relaxed by resolution of Council.

(5099, 5298)

- 9C. The following parks are closed to the free use of the public pursuant to section 9B:

- (a) Cates Park
- (b) Lynn Canyon Park
- (c) Princess Park
- (d) William Griffin Park except for the William Griffin Community Centre and access thereto from Queen Road during the time the centre is open.
- (e) Kirkstone Park except for the Karen Magnussen Arena and access thereto from Kirkstone Road and Lynn Valley Road during the time the arena is open.

(5298)

- (f) Kilmer Park

Document: 326119

- (5311)
- (g) Eldon Park (6344)
- 9D. No person shall stop, park or drive a vehicle in any park in a manner which is contrary to a traffic control device. (6388)
- 9E. No person shall propel, coast, ride of in any other way use a skateboard or roller skates in a park unless that person is properly wearing a helmet on his or her head, except if that person is a person for whom the wearing of a helmet would interfere with an essential religious practice. (7384)
- 9F. No parent or guardian of a person under the age of 16 years shall authorize or knowingly permit that person to propel, coast, ride or in any other way use a skateboard or roller skates in a park unless that person is properly wearing a helmet on his or her head, except if that person is a person for whom the wearing of a helmet would interfere with an essential religious practice. (7384)
10. Any person guilty of an infraction of any of the provisions of this bylaw shall be guilty of an offence and shall be liable on summary conviction therefor to a fine for each and every offence and costs, and in default to imprisonment for a period not exceeding (30) days.

DESIGNATION OF BYLAW

- 10.1 This bylaw is designated pursuant to section 934.1 of the Municipal Act, R.S.B.C. (6354)
- 1979, c. 290 (the "Municipal Act") as a bylaw that may be enforced by means of a ticket in the form prescribed.

DESIGNATION OF BYLAW ENFORCEMENT OFFICER

- 10.2 Members of the Royal Canadian Mounted Police and Bylaw Enforcement Officers are (6354)
- designated to enforce this bylaw by means of a ticket pursuant to section 934.1 of the Municipal Act.

TICKETING

- 10.3 The words or expressions listed below in the Designated Expression column are (6354)
- authorized to be used on a ticket issued pursuant to section 934.1 of the Municipal Act to designate an offence against the respective section of this bylaw appearing opposite in the Section column. The amounts appearing in the Fine column below are the fines set pursuant to section 934.1 of the Municipal Act for contravention of the respective section of this bylaw appearing opposite in the Section column:

<u>Designated expression</u>	<u>section</u>	<u>fine</u>
------------------------------	----------------	-------------

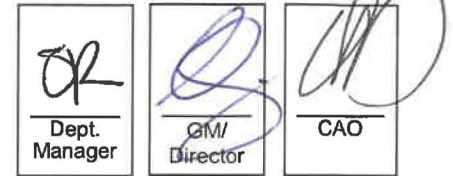
Damaging park	2	\$100.00	
Littering	3	50.00	
Vending without permit	4	50.00	
Disturbing bird or animal	5	50.00	
Meeting without permit	7	100.00	
Camping without permit	8	100.00	
Obstructing free use	8	75.00	
Posting unauthorized signs	9	50.00	
Failing to obey sign	9A	25.00	
In park when closed	9B	50.00	
No helmet	9E	30.00	(7384)
Permitting no helmet	9F	30.00	(7384)

11. This bylaw may be cited for all purposes as "DISTRICT OF NORTH VANCOUVER PARK CONTROL BYLAW, 1961".

Amended by: 3616, 4026, 5099, 5298, 5311, 6344, 6388, 6354, 7384

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Council Workshop	Date: <u>February 27, 2018</u>
<input type="checkbox"/> Finance & Audit	Date: _____
<input type="checkbox"/> Advisory Oversight	Date: _____
<input type="checkbox"/> Other:	Date: _____



The District of North Vancouver REPORT TO COMMITTEE

February 7, 2018

File: 13.6660.01/000.000

AUTHOR: Susan Rogers, Manager, Parks

SUBJECT: **Proposed District Municipal Alcohol Policy for Community Events in Parks and Open Spaces**

RECOMMENDATION:

THAT the February 7, 2018 report from the Manager of Parks entitled District Municipal Alcohol Policy in Parks and Open Spaces be received for information;

AND THAT the proposed District Municipal Alcohol Policy in Parks and Open Spaces be referred to a Regular Meeting of Council for approval (Attachment 1);

AND THAT the Public Special Occasion Liquor License Policy be referred to a Regular Meeting of Council to be rescinded (Attachment 2)

REASON FOR REPORT:

To seek Council approval for the Municipal Alcohol Policy (MAP) for community events in Parks and Open Spaces in the District of North Vancouver. The policy provides a revised and updated process for handling requests for alcohol in parks and open spaces.

SUMMARY:

The existing policy, Public Special Occasion Liquor Licences (SOL) – 9- 4320 is out of date and requires updating to align with modifications undertaken to the Provincial Liquor Control and Licensing Regulations in 2017. Within the revised provincial regulations, the province is the sole authority for issuing alcohol permits on privately owned lands, and municipalities no longer play a role in handling those types of requests, known formerly as Public Special Occasion Licences. The updated municipal policy reflects this modification by removing any municipal regulatory process related to alcohol requests on private properties

SUBJECT: Proposed District Municipal Alcohol Policy for Community Events in Parks and Open Spaces for Community Events in Parks and Open Spaces

February 7, 2018 Page 2

There are two application steps to follow when requesting permission to serve alcohol in a District Park or Open Space:

1) Updated District Municipal Alcohol Policy for Community Events in Parks and Open Spaces

Through municipal policy, municipalities can continue to handle requests for alcohol through a park permit process, as part of the Community Events in District of North Vancouver Municipal Parks and Open Spaces process. The new District Municipal Alcohol Policy (MAP) for Community Events in Parks and Open Spaces outlines the procedure to apply for a park permit for alcohol in parks, in combination with other regulatory requirements. The request to serve alcohol in a park must accompany a DNV Community Event in Parks and Public Open Spaces application.

Through this updated policy, the District of North Vancouver is implementing criteria and guidelines for consideration when permitting the controlled serving of liquor at certain community events in parks and open spaces.

2) Provincial Regulation of Alcohol - Special Event Permit (SEP)

If an applicant receives municipal approval through a park permit for alcohol at a Community Event, they must also obtain a Special Event Permit (SEP) from the provincial Liquor Control. The provincial regulation of alcohol at special events, such as those that take place in District parks and open spaces, are controlled through revised provincial Liquor Control and Licensing Regulations. Formerly Special Occasion Licenses (SOL), the new Special Event Permits (SEP), are available on line to event organizers who wish to provide temporary or infrequent liquor service at events such as community festivals.

A SEP allows the host to serve or sell liquor at an event in accordance with BC's liquor laws and regulations. Event hosts are considered liquor permittees and are responsible for the safety of their guests. All individuals hosting or serving liquor at an SEP event are required to complete a Responsible Beverage Service (RBS) training program. A Special Event Server (SES) certificate is required for all events under 500 guests and a Serving it Right (SIR) certificate is required for events with over 500 guests.

BACKGROUND:

It is the policy of Council that special events, festivals and sport tournaments promote health and contribute to the quality of life of District residents and that these events provide positive community benefits. The District has a history of well attended community festivals and special events in parks that include Lynn Valley Days, BC Bike Race and Deep Cove Daze, to name a few. Over the past years, the only community events requesting alcohol at their events is Deep Cove Daze, Lynn Valley Days and Knee Knackers.

EXISTING POLICY:

The updated Municipal Alcohol Policy supplements the "Community Events in Parks and Public Open Spaces" policy (#224053) and replaces the "Public Special Occasion Liquor Licences" policy (#328273)

SUBJECT: Proposed District Municipal Alcohol Policy for Community Events in Parks and Open Spaces for Community Events in Parks and Open Spaces

February 7, 2018 Page 3

ANALYSIS:

The updated Municipal Alcohol Policy includes information on:

- Application process for a Park Permit to serve alcohol at a Community Event
- Links application process for alcohol to the Community Events in Parks and Public Open Spaces process, conducted by North Vancouver Recreation and Culture Commission.
- Applications are limited to non-profit community associations or District-directed events. These include sports and culture services, clubs, associations and societies.
- Criteria to evaluate park suitability to support alcohol at a Community Event in a park
- Requirement for a Harm Reduction Plan as part of the approval requirements for District Park Permit applications. The Harm Reduction Plan will provide guidance on measures to be taken to minimize any potential individual or community impacts as a result of alcohol use in association with a community park event.
- Requirement for profits from alcohol sales to be directed to improve District facilities, or to recognized public charities, or to the volunteer programs in which the sponsoring organization is involved (for example North Shore Search and Rescue)
- Monitoring for compliance by RCMP, Fire, Bylaw as required depending upon the size and scope of event.

Timing/Approval Process:

The updated policy will enable staff to implement the new municipal permitting process for Community Events in Parks and Open Spaces in the 2018 season.

Concurrence:

The following agencies and District of North Vancouver staff have reviewed and approved the policy: District Parks, Community Planning, Bylaws, the RCMP, District Fire Services, Vancouver Coastal Health and the North Vancouver Recreation & Culture Commission. The policy was also discussed with the Parks and Natural Environment Advisory Committee and the Standing Committee on Substance Abuse for information.

Financial Impacts:

No additional operational costs will be required to implement the policy.

Liability/Risk:

The Harm Reduction Plan will form part of the Park Permit if event organizers are seeking approval to serve alcohol. The Harm Reduction Plan articulates the municipal strategies to ensure accountability and responsibility of the event organizers, in conjunction with the regulations under the provincially issued Special Event Permit (SEP). It outlines an expectation for organizers to be responsible for all elements within their proposed events, and will address individual and community impacts.

SUBJECT: Proposed District Municipal Alcohol Policy for Community Events in Parks and Open Spaces for Community Events in Parks and Open Spaces

February 7, 2018 Page 4

Social Policy Implications:

Safe access and enjoying parks are important values to the community. The proposed MAP ensures that these values are protected and retained for the community and park visitors to District parks and open spaces.

Conclusion:

Approval of the District Alcohol Policy supports the District Community Special Events in Parks and Public Open Spaces Policy with additional tools to manage requests for Special Event Licenses in parks, while reflecting current attitudes toward the use of alcohol in public places, and providing clarity and efficiency to the approval process.

Options:

Option 1:

THAT the proposed District Municipal Alcohol Policy in Parks and Open Spaces be referred to a Regular Meeting of Council for approval (Attachment 1);

AND THAT the Public Special Occasion Liquor License Policy be referred to a Regular Meeting of Council to be rescinded (Attachment 2)

Option 2:

THAT the proposed District Municipal Alcohol Policy in Parks and Open Spaces not be referred to a Regular Meeting of Council for approval (Attachment 1);

AND THAT the Public Special Occasion Liquor License Policy not be referred to a Regular Meeting of Council to be rescinded (Attachment 2)

Respectfully submitted,


 Susan Rogers
 Manager, Parks

REVIEWED WITH:		
<input checked="" type="checkbox"/> Sustainable Community Dev.	_____	
<input checked="" type="checkbox"/> Development Services	_____ <i>BSA</i>	
<input type="checkbox"/> Utilities	_____	
<input type="checkbox"/> Engineering Operations	_____	
<input type="checkbox"/> Parks	_____	
<input type="checkbox"/> Environment	_____	
<input type="checkbox"/> Facilities	_____	
<input type="checkbox"/> Human Resources	_____	
<input type="checkbox"/> Clerk's Office	_____	
<input type="checkbox"/> Communications	_____	
<input type="checkbox"/> Finance	_____	
<input type="checkbox"/> Fire Services	_____	
<input type="checkbox"/> ITS	_____	
<input type="checkbox"/> Solicitor	_____	
<input type="checkbox"/> GIS	_____	
<input type="checkbox"/> Real Estate	_____	
External Agencies:		
<input type="checkbox"/> Library Board	_____	
<input type="checkbox"/> NS Health	_____	
<input type="checkbox"/> RCMP	_____	
<input type="checkbox"/> NVRC	_____	
<input type="checkbox"/> Museum & Arch.	_____	
<input type="checkbox"/> Other:	_____	



The Corporation of the District of North Vancouver

CORPORATE POLICY

Title	Municipal Alcohol Policy for Community Events in Parks and Open Spaces
Section	

POLICY

It is the policy of Council that community events promote health and contribute to the quality of life and provide community benefits. Through this policy Council provides direction on permitting the controlled serving of alcohol to ensure that community events are managed responsibly.

Requests to serve alcohol at a community event in District of North Vancouver parks and open spaces will be handled in accordance with the procedures outlined in this policy.

PROCEDURE

Designated Official

The Manager of Parks, or designate, must approve all applications for community events where alcohol will be served in District parks and open spaces.

Applications

1. The event organizer must submit a Park Permit Application for alcohol as part of the District of North Vancouver Community Event in Parks and Public Open Spaces Application Process.
2. The application for a Park Permit must include:
 - the proposed park or open space location for the community event;
 - the expected number of attendees;
 - the proposed date and hours of the event;
 - the reason for the event; and,
 - a harm reduction plan.
3. The application for a Park Permit will be reviewed by the applicable staff and the RCMP for any concerns. This will include a review of any previous history with the event organizer and/or event.
4. If the application is approved, the event organizer will receive a Park Permit to serve alcohol at a community event in a District park or open space.

5. If the application is approved and a Park Permit is issued, the event organizer must also apply to the BC Liquor Control and Licensing Branch (LCLB) to obtain a Special Event Permit (SEP) to allow alcohol in a public place.
6. If the application for a Park Permit is denied, the event organizer will be notified.
7. The District reserves the right to deny the serving of alcohol at a community event in District parks and open spaces.

Regulations Attached to Park Permits Where Alcohol is Served

Park Permit applicants for serving alcohol as part of a community event is limited to District-directed events and non-profit community associations who operate within the District and have a majority of their members residing in the District. These may include sports and culture services, clubs, associations or societies. The profits from the community event must go to improve public facilities in the District, to volunteer programs in which the sponsoring organization is involved or to recognized public charities.

The regulations and approval process for a Park Permit to serve alcohol as part of a community event shall be as follows:

1. An organization's use of District parks and open spaces is limited to one event day in one calendar year or at the discretion of the Manager of Parks.
2. A Park Permit can be subject to immediate revocation by the Manager of Parks if this is deemed necessary. A violation of this policy may result in alcohol service and/ or event termination.
3. The Manager of Parks may deny an application for a Park Permit if:
 - the application does not fit the required criteria;
 - the location is not procurable; or,
 - the event organizer has had problems associated with alcohol being served at their event(s) in the past.
4. Criteria to evaluate park and open space suitability for a community event where alcohol will be served will include, but is not limited to:
 - park and open space size and proximity to adjacent residences;
 - type of park or open space and availability of appropriate on-site amenities;
 - size, type and duration of event;
 - options for safe transportation to and from the park or open space;
 - public safety and security; and,
 - ability for a beverage service area to be defined and secured from casual park and open space users not attending the community event.

5. An administrative fee per event is required and an additional refundable deposit for an event is charged to ensure proper clean up of the park or open space during and following the community event. The administrative fee and refundable deposit will be included in the Community Events Rental Contract. The refundable deposit will be returned to the event organizer following a review of the cleanliness of the park or open space after the community event is completed. Any costs for cleanup or repairs, if required, by Parks Department staff will be deducted from the refundable deposit.
6. If a Park Permit for alcohol is approved, the event organizer will be responsible for obtaining liability insurance for the use of parks and open spaces, and the event organizer must also provide:
 - The Special Event Permit (SEP) issued by the BC Liquor Control and Licensing Board: and,
 - A final harm reduction plan that includes strategies to ensure accountability and responsibility of the event organizer to reduce any alcohol- related concerns including:
 - a) under age consumption;
 - b) inappropriate use before, during and after the event;
 - c) impact to local neighbourhoods (including noise, litter, parking);
 - d) supplying food and non-alcoholic beverages; and,
 - e) transportation options for event attendees.

7. Community Impacts

- serving alcohol must stop one hour prior to event closing; and,
 - police, fire and/ or bylaw enforcement staff may be required to monitor compliance with legislation, including municipal bylaws, before, during and/ or after the community event. This will be determined through the Park Permit application process and costs for these services will be charged to, and payable by, the event organizer.
8. After the community event the event organizer must provide a summary of their contribution to a public facility in the District, to volunteer programs in which the sponsoring organization is involved or to recognized public charities.

Glossary

Community Event means an event taking place in District parks and open spaces that promotes health and social well-being, contributes to the quality of life and/ or provides community benefits and may include special events, sports tournaments, races, and similar activities whether organized by the District or a third party.

Council means the Council for the District of North Vancouver.

District, unless otherwise stated, means the District of North Vancouver.

Event Organizer means any person or organization applying to hold a community event where alcohol will be served in District parks and open spaces.

Harm Reduction Plan means a plan that forms part of the Park Permit application to hold a community event where alcohol will be served in District parks and open spaces and articulates the strategies to ensure responsible and accountable use of alcohol.

Liquor Control and Licensing Branch (LCLB) means the British Columbia Liquor Control and Licensing Branch which regulates and monitors the liquor industry in the Province of BC, including the regulation of liquor service at catered and special occasion events in public places.

Parks and Open Spaces means, for the purposes of this policy, a park that is owned and managed by the District of North Vancouver and open space that is owned and managed by the District of North Vancouver, such as a plaza.

Park Permit means the permit issued by the District of North Vancouver Parks Department upon a successful Park Permit application for a community event where alcohol will be served in District parks and open spaces.

Special Event Permit (SEP) means a LCLB Special Event Permit that is required for those who wish to provide temporary liquor service at events. A SEP allows the community event to serve or sell liquor in accordance with BC liquor laws and regulations. Event organizers are considered liquor licensees and are responsible for the safety of their clients.



The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Legislative and Regulatory Affairs	9
Sub-Section:	Liquor Licences / Permits	4320
Title:	Public Special Occasion Liquor Licences (S.O.Ls)	2

POLICY

Public Special Occasion Licences will be handled in accordance with the procedures outlined in this Policy.

REASON FOR POLICY

To establish a process for handling requests for Public Special Occasion Licences.

PROCEDURE:Designated Official

1. The Manager of Regulatory Services is the "designated official" for approval of Special Occasion Liquor Licences for public events of less than 5 days duration or frequency;
2. Special Occasion Liquor Licences for public events of more than 5 days duration will be referred to Council for approval.
3. For events in Municipal Parks the Manager of Parks must first approve the application;

Applications

1. Applicant submits application to the manager of the nearest BC Liquor Store.
2. Applicant submits copy of application to the Community Planning Dept. and to the N. Van. RCMP.
3. Applications on Municipal property must be made a minimum of four weeks prior to the event. Applications for all other sites must be made a minimum of three weeks prior to the event.
4. Applicable staff & RCMP are contacted to determine any concerns. This includes previous history of the applicant &/or event in the Municipality.
5. Concurrently, applications for S.O.Ls in Municipal parks are forwarded to the Manager of Parks for review and recommendation and are then returned to the Community Planning Department.
6. Staff memo will accompany application forwarded to the Designated Official indicating any issues or general support for the licence.
7. If there are obvious public concerns, or if the application is for an event longer than 5 days duration, the application will be referred to Council for consideration.
8. If the application is approved, the application will be returned to the applicant for forwarding to the local liquor Store Manager for issuance.
9. If the application is denied, the Manager of Regulatory Services will notify the local liquor store Manager and the RCMP directly.
10. During steps 6-8 the applicant works with the Manager of Parks to complete the process and requirements for the use of the Municipal park.

Number of Licences per Year

No more than two SOL are issued per organization per month, or 24 per year. Organizations who regularly hold scheduled events are encouraged to obtain a regular liquor license.

Hours of Sale

Hours of sale are normally for a maximum of 14 continuous hours between 9:00 a.m. and 2:00 a.m. of the following day, Monday through Saturday if the licensed area is **indoors**, and 9:00 a.m. to 10:00 p.m. if held **outdoors**. The Manager of Parks Dept. may recommend shorter hours of sale for an outdoor event in a municipal park.

Other Conditions

1. A wide variety and generous supply of food and non-alcoholic beverages must be available, and the applicant is reminded to contact the local health authority for a Health Permit.
2. Gambling is not permitted in the licensed area.

Additional regulations for Public Special Occasion licences on Municipally Owned Property (These are often referred to as Beer Gardens)

Use of Municipal property for a Public S.O.L event is limited to non-profit community associations that operate within the municipality, and a majority of whose members reside in the District of North Vancouver. These are sports, service, cultural, clubs, groups, associations or societies. The profits from the event must go to improve District public facilities or to the volunteer programs in which the sponsoring organization is involved, or recognized public charities.

1. In respect of applications for Public S.O.Ls on Municipal Property the municipality shall be divided into four districts as shown on the map attached hereto, each (recommended locations on map) of which will be entitled to six licence event days annually.
2. The regulations and approval process for a Public S.O.L Licence shall be as follows:
 - 2.1. The Manager of Parks is authorized to recommend no more than one S.O.L in any Municipal Park on any one day.
 - 2.2. No S.O.L shall be permitted in any one Park on consecutive weekends.
 - 2.3. Public S.O.L events can be subject to immediate closure on the part of representatives of the District of North Vancouver if this should be deemed necessary.
 - 2.4. An organization's use of District property for a Public S.O.L event is generally limited to one event day in one calendar year. More than one event request will be prioritized after other requests have been received as per timing in Clause 2.6.
 - 2.5. Approval will be issued on a first come, first served basis with preference given to established Community Events, or events in which the profits go back into the Park facility they are held in. The Manager of Parks can refuse to recommend a Licence if the applicant does not fit the required criteria, or the location is not procurable, or the applicant has had problems associated with their event in previous years.
 - 2.6. Application timing - application must be made no less than four weeks prior to an event. A completed application must be received no less than two weeks prior to the event with full fee, deposit, proof of insurance and certificates as noted in clauses 2.7 and 2.8.
 - 2.7. A permit fee of \$200 per Licence event is required and an additional \$1000 refundable deposit for an event is charged to ensure proper cleanup of the Park during and following the event. The permit fee and refundable deposit will be deposited through the cashier, and upon a letter from the Manager of Parks. The refundable deposit will be returned to the applicant following a review of the cleanliness of the Park after the event is completed. Parks staff costs for cleanup or repairs, if required, will be deducted from refundable deposit.
 - 2.8. In addition to the liability insurance required by the District for the use of a District-owned facility and/or property, the organization applying for the Public S.O.L shall also provide:
 - a "Host Liquor Endorsement" covering any liabilities associated with the sale or consumption of alcoholic beverages, such insurance shall include the District as a named insured;
 - a copy of the applicant's (or manager's) and servers "Serving It Right" certificate(s).
 - 2.9. After the event is held, the applicant must provide an accounting of the costs and proceeds of the event. Verification of the proceeds disbursed to the previously named charitable cause, program, or facility, must be provided within one year of the event. No further Licences will be issued to an applicant, at any time, unless the Manager of Parks has received proof of paid proceeds.

AUTHORITY TO ACT

Delegated to Staff

Approval Date:	July 28, 2003	Meeting Type:	Regular Council
1. Amendment Date:		Approved by:	
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	
4. Amendment Date:		Approved by:	



District Parks Management Tools

February 27, 2018

Agenda

- Parks Regulation Bylaw
- DNV Municipal Alcohol Policy

Parks Regulation Bylaw Recommendation

That the proposed Park Regulation Bylaw, 8310 & Bylaw Notice Enforcement Bylaw 7458 be referred to a Regular Meeting of Council to be given FIRST, SECOND and THIRD Reading

Park Regulation Bylaw Goals

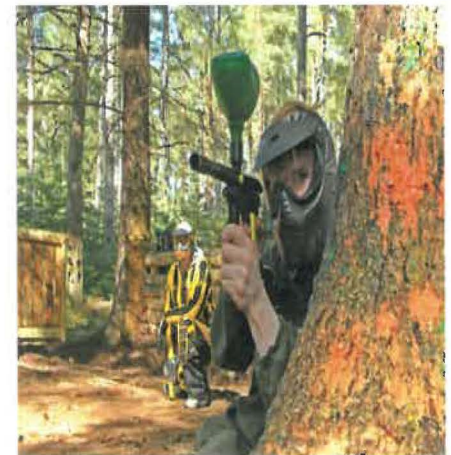
- Management of parks
- Protect park assets
- Public enjoyment
- Public safety
- Public conduct
- Park stewardship



Existing Park Control Bylaw

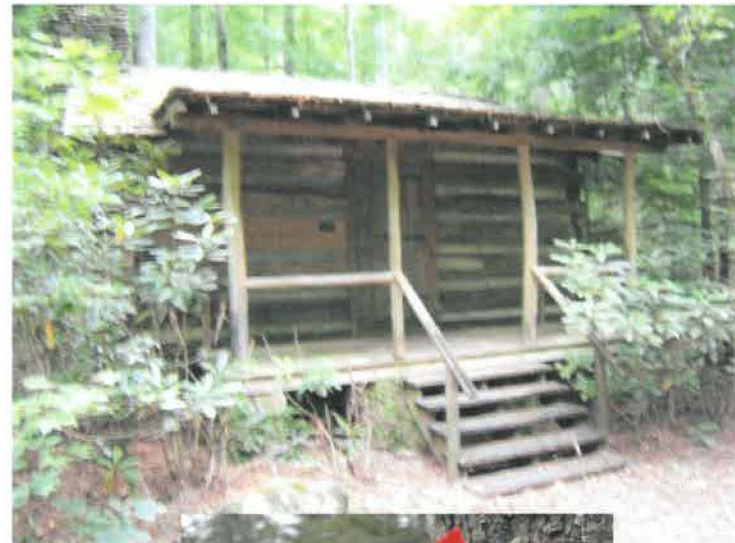
Why do we need a update?

- Created in 1961 – out of date
- Does not address park community & usage issues
- Limited management and regulatory capability
- New trends in recreation & park use
- Requests for commercial use or special events
- Enforcement & fines need updating



New or Expanded Sections in Bylaw

- Protection of natural areas
- Unauthorized construction – trails, structures, cabins
- Nuisance issues & public conduct – noise, littering, fires, graffiti camping
- Alcohol in parks
- Encroachment & storage of materials in parks



New or Expanded Sections in Bylaw

- Firearms, hunting & explosive materials
- Swimming & boating
- Games & sports in parks
- Homeless & overnight camping
- Removal & impounding unauthorized items
- Parks Hours



New or Expanded Sections in Bylaw

- Bicycling, skateboarding etc
- Vehicles & Motorized Traffic Park
- Move to a Park Use permit system to regulate activities
- References Commercial Use & Special Events in Parks
- Section on Authority of Park Manager
- Enforcement and Ticketing/Fines



Other items in the works:

- E-bikes
- Drones



Developing the Park Regulation Bylaw

- Research other municipal park bylaws
- Municipal legal review for best management practices
- Consult with DNV Bylaws
- Parks staff & ranger input
- RCMP & Fire Services review
- PNEAC review
- Council workshops



Key benefits of new bylaw

- Address broader range of park issues
- Provide clearer direction & definition
- Provide authority for bylaw & ranger staff
- Protect community park assets
- Regulate some activities thru Park Permit system
- Provide some flexibility under park manager
- Bylaw can be amended, as required

Comments & Questions

Municipal Alcohol Policy for Parks & Open Spaces

Recommendation

That the proposed District Municipal Alcohol Policy in Parks & Open Spaces be referred to a Regular Meeting of Council for approval

Proposed Municipal Alcohol Policy (MAP) for Community Events in Parks

Why is policy update required?

- DNV Public Special Occasion Liquor License Policy out of date
- New Provincial Liquor Control & Licensing Regulations (2017)
- Municipality no longer issues permits for alcohol at private events
- Municipality continues to handle requests for alcohol in parks
- New MAP policy reflects modifications in application & regulatory process for alcohol in parks



Municipal Alcohol Policy (MAP) for Parks & Open Spaces

Objectives:

- Guide process to manage requests for alcohol at non- profit community events or DNV directed events
- To align with provincial Liquor Control regulations
- To support & align w Community Event in Parks policy
- Establish criteria to evaluate park event for alcohol
- Ensure health & safety and protection of park property –
Harm Reduction Plan
- Profits support DNV facilities, charities, volunteer programs etc



New Park Permit Process

Two steps:

1) Permit application submitted to DNV first

DNV Parks review & approve or deny

2) If approved applicant applies to:

- BC Liquor Control & Licensing Branch (LCLB) – on line for Special Event Permit (SEP)

Criteria to determine eligible parks

- Park size & proximity to adjacent residences
- Type of park & availability of on-site amenities
- Size, type & duration of event
- Options for safe transportation to & fro
- Public safety
- Ability for beverage service area to be defined & secured from casual park user areas

Harm Reduction Plan & Strategies

- No under age consumption
- Impact to local neighborhoods (noise, litter, pkg)
- Supply food & non alcoholic beverages as options
- Transportation options for event attendees
- Security appropriate to event
- Responsible Beverage Serving Training
 - Special Event Servers (under 500)
 - Serving it Right (over 500)

Questions and Comments