

**TOWN OF LACOMBE
BYLAW 253**

Consolidation to September 13th, 2010

A Bylaw to authorize the Municipal Council of the Town of Lacombe for the regulation and control of Town Parks and Facilities.

WHEREAS the *Municipal Government Act*, S.A. 1994, c. M-26.1 s. 7 (b) authorizes a Council to pass a Bylaw respecting people, activities and things in, or near a public place or place that is open to the public, and

WHEREAS the *Municipal Government Act* supra s. 7 (d) authorizes a Council to pass a Bylaw respecting transport and transportation systems, and

WHEREAS the *Municipal Government Act*, supra s. 7 (h) authorizes a Council to pass a Bylaw respecting wild and domestic animals and activities in relation to them, and

WHEREAS the Council of the Town of Lacombe deems it expedient and in the public interest to pass a Bylaw regarding the controlling the use of public places and facilities;

NOW THEREFORE the Council of the Town of Lacombe in the Province of Alberta, duly assembles, enacts as follows:

1. In this Bylaw:
 - a) **Abandoned** means any motor vehicle, recreational vehicle, off-highway vehicle, motor boat trailer that has been left unattended on park land or in a campground for a consecutive period of 72 hours, and where authorization to be in that area has expired, shall be deemed abandoned.
 - b) **Campground** means a park which is designated as a site on which daytime or overnight camping is permitted.
 - c) **Camping** means staying overnight in a recreational vehicle or tent.
 - d) **Chief Administrative Officer** means the chief administrative officer for the Town of Lacombe appointed under By-law #58 of the Town or appointed delegate.
 - e) **Council** means the Council of the Town of Lacombe, duly assembled
 - f) **Heavy Vehicle** means a vehicle, or a vehicle with a trailer attached with or without a load of 5500 kgs. gross vehicle weight or more, or exceeding 6.3 m. (20.7') in overall length, recreation vehicles excepted.
 - g) **Off-Highway Vehicle** means any vehicle that is defined as such in the *Traffic Safety Act*, R.S.A. 2000, C. T-6 and *Off-Highway Vehicle Act* Regulation A.R. 319/2002 (04/23/07)
 - h) **Park Area** means all municipal and environmental reserve parcels and other recreational land areas owned or controlled by the Town, lying within the Town limits and whether improved in whole or in part, or in its natural state; and may include but not be limited to neighbourhood beautification areas, publicly maintained areas administered by the Town, playgrounds, floral areas, trees, and includes all buildings or other improvements situated on these land areas, all ponds and lakes, and cemetery, walking and bicycle paths.
 - i) **Picnic Ground** means any portion of the park area containing picnic tables, cook house, or designated as a day use area.
 - j) **Public Facility** means every athletic , recreational or cultural building or

facility located in the Town and owned or controlled by the Town.

Public Lands means

- i) Campgrounds
 - ii) Park Area
 - iii) Public Facility
 - iv) those portions of Public roads which include boulevards, medians, buffer strips and ditches but do not include the carriage way or travelled sections of the roads
- k) **Recreation Vehicle** means a vehicle used or intended for use as a shelter, all off-highway vehicles, motor boats and trailers and without restricting the generality of the foregoing, includes any motor home, holiday trailer, camper, tent trailer or any bus or truck converted for use as a recreation vehicle.
- l) **Town** means the Town of Lacombe, a Municipal Corporation of the Province of Alberta, or the corporate limits of the Town of Lacombe, as the context requires.
2. All park areas except campgrounds shall be closed to the public between the hours of 11:00 o'clock in the evening and 5:00 o'clock the next morning except where prior approval by the Chief Administrative Officer has been received. (04/23/07)
3. No person shall injure, damage or destroy any tree, shrub, ground cover, turf or sod, or floral fauna in or upon any public land
4. No person shall:
- a) damage or destroy any wildlife habitat; or
 - b) pester, feed, or otherwise interfere with or harm any animal in a Park Area
5. No person shall make or attempt to make a place of residence in or upon any public land
- 6.
- 1) No person shall use any part of public land for the purpose of camping except within an area that is designated for that purpose.
 - 2) Notwithstanding clause (1), a person or group may camp in an area not designated for camping if written permission has been first obtained from the Chief Administrative Officer.
7. Council may establish fees and charges for the use of public land and no person shall refuse to pay such fees and charges where required to do so.
8. No person shall cause any public land to be left in an untidy or unsightly condition.
9. No person shall conduct himself in a manner which is dangerous to life or property, or which is detrimental to the use and enjoyment of the public lands by other persons.
10. No person shall cause, create or participate in a nuisance or disturbance in or

upon any public land.

11. No person shall conduct or participate in a special event in or upon any public land using amplified speaker systems, stages, platforms or other structures without having received prior approval of the Chief Administrative Officer
- 12.. No person shall contravene any posted or printed regulation governing the use of public lands.
13. No person shall deposit any waste or offensive matter of any kind in or upon any public land, except in those receptacles or areas provided or designated for that purpose.
14. No person shall light or fuel a fire in or upon any public land except in those receptacles or areas specially provided or designated for that purpose. Burning shall take place only if:
 - a) burning is supervised at all times by a responsible adult person over the age of eighteen (18) until such time as the fire has been completely extinguished. For the purpose of this clause, a fire shall be deemed to include any hot ashes and smoldering embers resulting from fire (04/23/07)
 - b) wood or charcoal is burned
 - c) the height of the flames is limited to a maximum height of ninety (90) cm (3.28 ft) above a fire pit.
 - d) the fire is extinguished prior to leaving that area of public land
 - e) the fire is extinguished at 10:30 o'clock in the evening with the exception of fires in a campground (04/23/07)
15. No person shall burn: (04/23/07)
 - a) treated lumber
 - b) leaves or other dead fall from trees from within a Park Area
 - c) park vegetation, trees or parts thereof from within a Park Area, whether dead or alive
 - d) tires or rubber
 - e) plastics or any other similar things which may emit a noxious smell when burned
 - f) any park equipment and improvements including all buildings, garbage receptacles, park benches, picnic tables or play equipment
16. No person shall remove firewood from any public land.
17. No person shall shoot, fire or explode any firearms, firecrackers, fireworks, flares, air guns or explosives of any kind in or upon any public land without the prior written permission from the Police Chief of the Lacombe Police Service, or the Chief Administrative Officer.
18. No person shall sell or expose for sale any refreshment, goods, article or thing or offer any service for a fee in or upon any public land without first having a valid business license to do so or without having obtained prior written permission of the Chief Administrative Officer. (04/23/07)

19. No person shall post, paint, or affix any advertisement, bill, poster, picture, matter or other thing in or upon any public land without first having a permit to do so or without having obtained prior written permission of the Chief Administrative Officer except where an advertisement board or location has been designated for the posting of such information.
20. No person shall damage, deface, destroy or remove a structure, fixture, improvement, sign or any part thereof, or any other property or thing from any public lands.
21. A dog properly licensed under the Bylaws of the Town may be in a park area provided that it is kept on a leash and under the control of a capable person.
22. No person shall allow or permit a dog to be within an area of public lands
 - 1) containing playground apparatus, sand play areas and floral areas.
 - 2) designated as picnic ground, day use area, or cook house.
23. The owner or person in apparent control of a dog shall be guilty of an offence if the dog defecates in or upon public lands and the owner fails to immediately remove the defecation.
24. No person shall skate or play on a pond or lake in or upon public lands when the area has been posted as unsafe.
25. No person shall skateboard on any sidewalk or parking area of any Public Facility except where any area has been specially designated for such activity. (09/13/10)
26. All persons using a designated skateboard area shall leave the area free of any garbage or broken jump material. All garbage shall be deposited in the garbage receptacles provided.
27. Except where permitted under the Lacombe Traffic Bylaw, no person shall operate an off-highway vehicle in or upon public lands.
28. Except in areas designated or intended for vehicle movement or parking, no person shall park or drive any vehicle in or upon any public lands including any park area, public facility, or boulevard or median of a public road, unless permission has been obtained from the Chief Administrative Officer.
29. In areas of public lands designated or intended for vehicle movement or parking, no person shall drive a vehicle at a speed in excess of any posted speed limit or where no speed limit is posted in excess of twenty (20) kilometres per hour.
30.
 - 1) No person shall park a heavy vehicle, a tractor with or without a trailer or any type of construction equipment in or upon any public land except where permitted by the Lacombe Traffic Bylaw or by the Chief Administrative Officer.
 - 2) Clause (1) shall not apply to:
 - a) Commercial vehicles while actually loading or unloading goods, or
 - b) Construction equipment being used during construction or improvement of property, provided that such equipment is parked adjacent to the property where such work is being done.

31. No person shall abandon a motor vehicle, off-highway vehicle, boat trailer, recreational vehicle on any public land.
32. Where a motor vehicle, off-highway vehicle, boat trailer, recreational vehicle:
- a) is abandoned
 - b) remains in an area after the authorization to be in that area has expired, or
 - c) is located in a prohibited area,
- the Chief Administrative Officer may cause the vehicle to be removed, stored and disposed of.
33. Council may by policy provide for the privileges of a person or groups to use public lands to be suspended or revoked by the Chief Administrative Officer. Where such privilege has been suspended or revoked, no person or group shall enter the public lands for which the privilege of use has been removed.
34. The provisions of this bylaw shall not apply to employees, agents or servants of the Town in the performance of their authorized duties.
35. A Notice of Form commonly called a Violation Ticket in the form marked "Schedule A", may be issued and served by a peace officer to any person who contravenes any provision of this By-Law, and the Ticket shall require the payment to the Town for the specified amount for that particular breach of this By-Law. (04/23/07)
- 36.
- 1) A violation Ticket shall be deemed to be sufficiently served:
 - a) if served personally on the accused, or
 - b) if mailed to the address of the registered owner of the motor vehicle or recreational trailer, or
 - c) if attached to or left upon the vehicle in respect of which the offence is alleged a breach of this By-law.
 - 2) Nothing in this By-law shall prevent any person from defending a charge of committing a breach of this By-law.
 - 3) Where a person has paid a Violation Ticket and has been prosecuted for the offence in respect of which the Ticket was issued, then that person shall be entitled to a refund of the Ticket payment.
34. Deleted (04/23/07)
37. Any person who violates or fails to comply with the provisions of this Bylaw, shall be guilty of an offence and subject to the penalties set out in Schedule "B" annexed hereto. (04/23/07)
- 2) Any person who enters a guilty plea or is convicted of an offence pursuant to this Bylaw is liable to a fine in an amount not less than specified in this Bylaw and not exceeding \$10,000.00 and liable to imprisonment for not more than six (6) months for nonpayment of the fine.
38. When a person contravenes this bylaw, by an act of vandalism or mischief, the Town may file a Request for Restitution with the courts to recover the costs

incurred rectifying the damages arising from the acts of vandalism or mischief.

39. It is the intention of the Council, that each separate provision of this By-Law shall be deemed independent of all other provisions, and if any provision of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable.
40. Schedules "A" and "B" are attached and form part of this Bylaw.
41. This bylaw shall come into force on the date of passage.

INTRODUCED AND GIVEN FIRST READING this 22nd day of June, 1998, A.D.

GIVEN SECOND READING this 22nd day of June, 1998, A.D.

PRESENTED FOR THIRD READING this 22nd day of June, 1998, A.D.

GIVEN THIRD AND FINAL READING this 22nd day of June, 1998, A.D.

UNCERTIFIED COPY - Consolidation

**TOWN OF LACOMBE
BYLAW 253**

SCHEDULE "A"

A 03651771 T VIOLATION TICKET
201603
 Province of Alberta

LACOMBE

9509 48 AVENUE, RED DEER

LACOMBE

A 03651771 T

Town of Lacombe
 5002-58 Ave
 Lacombe, AB T4L 1E0
 Telephone: 782-6000
 Fax: 782-5055

5001

This Tilt Issued for Breach of Section

Section No.	By-Law No.	Balance Bylaw	Section #
	2563	2566	

Section 7

PENALTY

\$25.00	\$50.00	\$75.00	\$100.00	\$125.00	\$150.00	\$175.00	\$200.00
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1. Penalty collected by 1700 on or within 7 days.
 2. Penalty reduced by \$25.00 if paid within 72 hours.
 3. No penalty reduction.

Year	Month	Day	Time	AM	PM
Vehicle License #	Make	Model			

Address: _____
 City: _____
 Province: _____

You may avoid prosecution for this offence by paying the penalty required, within 72 hours, to the above address.

DO NOT DETACH
 Receipts may be provided by mail (cheque or money order only) or by paying at the Cash Office, for manual acknowledgment.

This Is Your Receipt **5001**

**TOWN OF LACOMBE
BYLAW 253**

Schedule B

Section	Offence	Specified Penalty
2	Remain in Park Area when closed	\$100.00
3	Injure, damage or destroy any Park Area ground cover or vegetation	\$200.00
4	Damage or interfere with Park Area wildlife habitat or animals	\$200.00
5	Make a place of residence upon public land	\$100.00
6	Camp on public land	\$100.00
8	Public land left in an untidy or unsightly condition	\$100.00
9	Activity which is dangerous or detrimental to the use and enjoyment of public lands	\$100.00
10	Nuisance or disturbance in or upon public land	\$100.00
11	Activities prohibited on public land	\$100.00
12	Contravention of Regulations	\$100.00
13	Litter on public lands	\$100.00
14	Unauthorized fire	\$100.00
14	Fire: improper hours, care and control	\$100.00
15	Prohibited burning materials	\$100.00
15	Burning park equipment or improvements	\$200.00
16	Removal of firewood	\$100.00
17	Shoot, fire or explode firearms, firecrackers, fireworks, flares, air guns, or explosives on public land	\$100.00
18	Business enterprising prohibited upon public land	\$100.00
19	Post, paint or affix advertisement, bill, poster, picture, matter or other thing on public land	\$100.00
20	Property damage	\$100.00
21	Dog not on leash and under control	\$50.00
22	Dog in prohibited area	\$50.00
23	Defecation by dogs	\$100.00
24	Prohibited skating on pond/lake	\$50.00
25	Prohibited skateboarding	\$50.00
26	Garbage or broken jump material in designated skateboard area	\$100.00
27	Off-highway vehicle on public land	\$200.00
28	Park or drive a vehicle in or upon any public lands	200.00
30	Prohibited commercial vehicle parking	\$100.00
31	Abandoned vehicles	\$100.00
33	Prohibited entry	\$100.00