

BY-LAW NO. 56-92  
OF THE  
SUMMER VILLAGE OF ALBERTA BEACH  
IN THE  
PROVINCE OF ALBERTA


A BY-LAW OF THE SUMMER VILLAGE OF ALBERTA BEACH IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING PUBLIC PARKS AND CAMPGROUNDS WITHIN THE SUMMER VILLAGE OF ALBERTA BEACH.

WHEREAS, by virtue of the power conferred upon it by the Municipal Government Act, R.S.A. 1980, c. M-26, as amended or repealed and replaced from time to time, (hereinafter the "Municipal Government Act") the Council of the Summer Village of Alberta Beach, in the Province of Alberta, duly assembled, enacts as follows:

1. SECTION 1 - SHORT TITLE

- 1.1 This By-law may be cited as the Summer Village of Alberta Beach "General Parks By-law".

2. SECTION 2 - DEFINITIONS

- 2.1 "By-law Enforcement Officer" means a By-law Enforcement Officer appointed by the Summer Village pursuant to the Municipal Government Act to enforce Summer Village By-laws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable.
- 2.2 "Campground" means a park or a portion of a Park that has been designated by the County where daytime or overnight camping is permitted.
- 2.3 "Council" means the Council of the Summer Village.
- 2.4 "Domestic Animal" means any animal, other than a dog or livestock, which is kept as a pet.
- 2.5 "Dog" means either the male or female of any domesticated canine species.
- 2.6 "Firearm" means any barrelled weapon from which any shot, bullet or other missile can be discharged and that is capable of causing serious bodily injury or death to a person, or damage to property, and without restricting the generality of the foregoing, includes guns, rifles, shotguns, pistols, air pistols, air rifles and anything than can be adapted for use as Firearm.
- 2.7 "Highway" means a highway as defined in the Highway Traffic Act, R.S.A. 1980, c. H-7, as amended or repealed and replaced from time to time, (hereinafter the "Highway Traffic Act").
- 2.8 "Livestock" means horses, cattle, swine, donkeys, mules, oxen, sheep, goats and furbearing animals raised in captivity for pelts.
- 2.9 "Moped" means a moped as defined in the Highway Traffic Act.
- 2.10 "Motorcycle" means a motorcycle as defined in the Highway Traffic Act.
- 2.11 "Motor Vehicle" means a motor vehicle as defined in the Highway Traffic Act.
- 2.12 "Municipal Administrator" means the Municipal Administrator of the Summer Village.
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- 2.13 "Off-Highway Vehicle" means off-highway vehicle as defined in the Off-Highway Vehicle Act, R.S.A. 1980, c. 0-4, as amended or repealed and replaced from time to time (hereinafter the "Off-Highway Vehicle Act").
- 2.14 "Park" includes:
- (a) Any land developed or used by the Summer Village as a public park, sports field, playground or recreational area, title to which is vested in the name of the Summer Village;
  - (b) Any land acquired by the Summer Village as municipal reserve, school reserve, or environmental reserve as those terms are used in the "Planning Act";
  - (c) Any land designated by Summer Village as a park or recreational area for the purposes of this By-law;
- 2.15 "Person" includes an individual, corporation, firm, partnership, association, or body corporate.
- 2.16 "Roadway" means a roadway as defined in the Highway Traffic Act.
- 2.17 "Snow Vehicle" means a snow vehicle as defined in the Off-Highway Vehicle Act.
- 2.18 "Summer Village" means the Summer Village of Alberta Beach.
- 2.19 "Vegetation" includes all trees, shrubs, plants, flowers and grass, or all ground cover, whether it is in its wild or natural state, or has been planted.
- 2.20 "Violation Tag" means a tag or similar document issued by the Summer Village pursuant to Section 110 of the Municipal Government Act.
- 2.21 "Violation Ticket" means a ticket issued pursuant to Part II of the Provincial Offenses Procedure Act, S.A. 1988, c. P-21.5, as amended or repealed and replaced from time to time (hereinafter the "Provincial Offenses Procedure Act") and regulations thereunder.

3. SECTION 3 - APPLICATION

- 3.1 This By-law shall apply to all Parks in the Summer Village, subject to any exceptions provided in the statute of the Province of Alberta or any agreement entered into by the Summer Village affecting any Park or part thereof.

4. SECTION 4 - LITTER

- 4.1 No Person shall deposit or place in a Park any paper, cardboard, food, refuse, tins, bottles, glass or any litter or refuse of any kind likely to prove offensive, injurious or unsightly to any user of the Park unless such material is placed in recepticals provided for the purpose of collecting such matter.

5. SECTION 5 - PARK PROPERTY

- 5.1 No person shall destroy, remove or otherwise interfere with any Vegetation in a Park.

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- 5.2 No person shall walk, cross, ride, or otherwise traverse any Vegetation where such conduct is prohibited by posted signs.
- 5.3 No person shall dig, excavate or conduct any construction or building operation within a Park except when authorization has been provided by the Municipal Administrator.
- 5.4 No person shall mark, deface, climb, or otherwise interfere with any sign, fence, building, wall, sign, bench, exhibit or any other property that the Summer Village has erected or caused to be erected in a Park.

6. SECTION 6 - DANGEROUS OBJECTS

- 6.1 No person, while in a Park, shall:
  - (a) Discharge, ignite or fire any fireworks or explosives of any type;
  - (b) Cast, throw or otherwise launch any stones, missiles or dangerous object;
  - (c) Launch or shoot any arrows by means of a cross-bow, longbow, or otherwise;
  - (d) Propel a golfball in any manner;

without such activity having been approved at a particular Park or part of a Park by the Municipal Administrator.

7. SECTION 7 - CONDUCT

- 7.1 No person shall consume alcoholic beverages in a Park unless the necessary approvals have been obtained from the Municipal Administrator and from the Alberta Liquor Control Board, and then only at such locations within a Park as designated by the Municipal Administrator.
- 7.2 No person shall enter or remain in any park while intoxicated.
- 7.3 No person shall use or make any boisterous noise, blasphemous, vulgar or insulting language or engage in any disorderly, loud or lascivious conduct of any kind while in a Park or engage in any activity which would cause inconvenience or disturb any person using a Park.
- 7.4 No person shall in any way obstruct the free use or enjoyment of a park by any other person.

8. SECTION 8 - FIREARMS

- 8.1 No person shall carry or discharge any Firearms of any description in a Park.

9. SECTION 9 - CAMPING

- 9.1 No person shall set up a tent, take temporary abode or otherwise camp in a Park except in a designated Campground.

10. SECTION 10 - BUSINESS

- 10.1 No person shall offer for sale or sell any good or service in a Park unless that person has obtained a business licence from Summer village and permission of the Municipal Administrator.

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11. SECTION 11 - ADVERTISING

- 11.1 No person shall erect any sign board, billboard or any other advertising device in a Park without the approval of the Municipal Administrator.
- 11.2 This section does not apply to signs or notices that the Summer Village may erect in a Park.

12. SECTION 12 - FIRES

- 12.1 No person shall start or permit to be started any fire in a Park except in fireplaces or appliances provided in the Park for that purpose.
- 12.2 No person shall leave a fire unattended.

13. SECTION 13 - ANIMALS

- 13.1 No person shall permit any Dog over which he or she exercises care and control or owns to run at large in a Park.
- 13.2 While in a Park a Dog shall be leashed and under the care and control of the owner or a responsible person.
- 13.3 Persons bringing Dogs into a Park are responsible for the immediate clean-up and removal of any defecation done by Dog.
- 13.4 No person shall allow any Dog under his or her control to:
  - (a) Injure, disturb or trap any bird or animal;
  - (b) Destroy any bird or animal habitat;
  - (c) Disturb or destroy any Vegetation in a Park or recreational area.
- 13.5 No person shall bring Livestock into a Park unless approval is obtained by the Municipal Administrator.
- 13.6 No person shall bring a Domestic Animal into the Park unless approval is obtained from the Municipal Administrator.
- 13.7 No person shall ride or bring a horse into a Park.
- 13.8 No persons shall tease, molest or injure any mammal, bird or fish, nor throw any substance at or near such creatures in a park in such a way to cause them alarm or possible injury.

14. SECTION 14 - VEHICLES

- 14.1 No person shall drive or operate a motor vehicle, motorcycle or moped in a Park except on a roadway in or through the Park.
- 14.2 No person shall park a motor vehicle, motorcycle or moped in a park except in areas designated for that purpose.
- 14.3 No person shall drive or operate an Off-Highway Vehicle or Snow Vehicle in a Park except in those Parks or areas so designated.

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15. SECTION 15 - PARK USE AND HOURS

- 15.1 All parks within the Summer Village, unless otherwise indicated by sign, shall be closed to the public between the hours of 11:00 p.m. until 7:00 a.m. every day of the year.
- 15.2 No person shall enter into or remain in a Park or part thereof that is closed.
- 15.3 any person in a Park after it is closed may be asked to leave by a By-law Enforcement officer or may be issued a Violation Tag or a Violation Ticket.
- 15.4 Any person who refuses to leave a Park after having been asked to do so by a By-law Enforcement Officer or who has been issued a Violation Tag or a Violation Ticket for contravening this By-law may be removed from the park.
- 15.5 No person shall be in violation of this section if he or she is using a Highway or Roadway in or running through the Park.
- 15.6 The Municipal Administrator may temporarily close the Park or any part thereof to the public use.
- 15.7 Where a park or any part thereof is closed to public use pursuant to Section 15.6, a sign shall be posted to that effect.

16. SECTION 16 - OFFENSES

- 16.1 Any person who contravenes a provision of this By-law is guilty of an offence and is liable to a penalty as set out in Schedule "A" herein.
- 16.2 Under no circumstances shall any person contravening any provision of this By-law be subject to the penalty of imprisonment.

17. SECTION 17 - VIOLATION TAG

- 17.1 A By-law Enforcement officer is hereby authorized and empowered to issue a Violation Tag to any person who the By-law Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this By-law.
- 17.2 A Violation Tag may be issued to such person:
  - (a) Either personally; or
  - (b) By mailing a copy to such person at his or her last known Post Office Address.
- 17.3 The Violation Tag shall be in a form approved by the Summer village and shall state:
  - (a) the name of the person;
  - (b) the offence;
  - (c) the appropriate penalty for the offence as specified in Schedule "A" of this By-law;
  - (d) that the penalty shall be paid within thirty (30) days of issuance of the Violation Tag;
  - (e) and other information as may be required by the Summer Village.
- 17.4 Where a contravention of this By-law is of a continuing nature, further Violation Tags may be issued by a By-law Enforcement officer, provided that no more than one Violation Tag shall be issued for each day that the contravention continues.

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- 17.5 Where a Violation Tag is issued pursuant to this By-law, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Secretary Treasurer the penalty specified in the Violation Tag.
- 17.6 Nothing in this By-law shall prevent a By-law Enforcement Officer from immediately issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this By-law.

18. SECTION 18 - VIOLATION TICKET

- 18.1 If the penalty specified in a Violation Tag is not paid within the prescribed time period, then a By-law Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offenses Procedure Act.

19. SECTION 19 - EXEMPTIONS

- 19.1 The employees, servants and agents of the Summer Village, while acting in the course of their employment or duty, are exempt from the provisions of the By-law.

20. SECTION 20 - SEVERABILITY

- 20.1 Should any provision of this By-law be invalid, then such invalid provision shall be severed and the remaining By-law shall be maintained.

21. SECTION 21 - EFFECTIVE DATE

- 21.1 This By-law shall come into force upon third and final reading.

Read a first time this 15 day of MAY, 1992.

Read a second time this 15 day of MAY, 1992.

Read a third time this 15 day of May, 1992.

  
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 Mayor

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SCHEDULE A

Any contravention of any part or section of this By-law is fineable by a fine of FIFTY (\$50.00 DOLLARS).

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SCHEDULE 8

"VIOLATION TAG" FORMAT AS APPROVED BY COUNCIL.

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