

**By-law No. 138/2010**

**Being a By-law of the Town of Bentley, in the Province of Alberta, to provide for the control and operations of parks, playgrounds, campgrounds, picnic areas, boulevards and public facilities in the Town of Bentley.**

WHEREAS, pursuant to the provisions of the Municipal Government Act, Chapter M-26.1 of the Revised Statutes of Alberta and amendment thereto, the Council of the Town of Bentley in the Province of Alberta, enacts as follows;

**Section 1 – Citation**

1.1 This By-law may be cited as the **“Parks and Campground By-law”**

**Section 2 – Definitions: In this By-law;**

2.1 **“Animal”** means any creature not human

2.2 **“Boulevard”** means that part of a highway that is not roadway and is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians

2.3 **“Campground”** means a park designated as a site on which daytime or overnight camping is permitted

2.4 **“Campground Attendant”** means an individual appointed, hired or contracted by the Town to provide campground caretaker and security services

2.5 **“Camping Unit”** shall mean;

- a) a tent
- b) a trailer
- c) a tent trailer
- d) a motor home
- e) a van or bus
- f) a truck camper

used by a person as shelter equipment while camping



- 2.6 “**CAO**” means the Chief Administrative Officer of the Town of Bentley
- 2.7 “**Council**” means the Council of the Town of Bentley
- 2.8 “**Enforcement Officer**” shall mean a member of the Royal Canadian Mounted Police, a Peace Officer of Lacombe County or a By-law Enforcement Officer as appointed by Council.
- 2.9 “**Highway**” shall have the same meaning as ascribed in the Traffic Safety Act, RSA 2000, Chapter T-6, as amended
- 2.10 “**Park**” means land owned or controlled by the Town that is now or hereafter established, dedicated, set part or designated, specified or made available for use by the public as a park, playground, campsite, picnic site, preserved natural area, trails, cemetery, recreational areas, ball diamonds, and parking areas ancillary thereto, and municipal and environmental reserves and includes any and all improvements situated thereon or therein.
- 2.11 “**Public Facility**” means every recreational or cultural facility located in the Town and, without limiting the generality of the foregoing, includes community centers, community halls, arenas, athletic playing fields, shelters and the property, grounds and parking areas ancillary thereto.
- 2.12 “**Town**” means the Town of Bentley
- 2.13 “**Vehicle, Trailer, Motor Home, Motorcycle**” shall respectively have the same meaning as are ascribed to them in the Traffic Safety Act, RSA 2000, Chapter T-6 as amended

### **Section 3 – Prohibitions**

While in a Park, no person shall;

- 3.1 Climb on any building, structure or equipment unless it is designed specifically for the purpose of climbing
- 3.2 Build a structure, whether permanent or temporary without permission from the CAO



- 3.3 Set up any form of temporary abode except in an area designed by the Town for this activity
- 3.4 Dig, plant or install any object within a park without permission from the CAO
- 3.5 Leave a fire burning unattended or leave a fire without completely extinguishing any flame and ensuring the embers are cold
- 3.6 Enter into any undeveloped or natural area other than on a trail
- 3.7 Enter any area to which access has been prohibited or regulated by signage or fencing or other barricade
- 3.8 Move, remove or alter any signage or fencing or other barricade prohibiting or regulating access to any area, without permission from the CAO
- 3.9 Injure, damage or deface in any way or tamper with anything in any park, Including without limiting the generality of the foregoing: signage, trees, shrubs, hedges, flowers, grass areas, building, plumbing, heating or light fixtures, walls, fences, gates, benches, playground equipment, exhibits, cairns and including all improvements situated thereon or therein.
- 3.10 swear or use obscene, offensive or insulting language, fight, be found to be intoxicated or conduct himself/herself in a disorderly manner
- 3.11 cause, permit or allow any other person under his control to do anything prohibited by this By-law
- 3.12 cause, permit or allow any livestock owned by him/her or under his/her control to be in such park or campground, except in areas temporarily designated by the Town for such livestock and the owner shall be responsible for cleaning up or picking up the animal's bodily feces, straw, hay or any other waste that may be left behind.
- 3.13 Cause, permit or allow any dog or cat to be in any park unless said dog or cat is on a leash at all times and the owner shall be responsible for picking up the dog or cats feces.



- 3.14 Start a fire in any campground, except in the fire pits provided for such purpose and in any other park area, except in a barbecue or other portable appliance designed for and used for the cooking of food.
- 3.15 At any time be in a park when the park is closed
- 3.16 Modify any land in a way that is reasonably likely to cause injury to another person or damage to property
- 3.17 Sell, display, distribute any goods or service or conduct any business or commercial venture in any park, without permission from the CAO
- 3.18 Do anything that is reasonably likely to disturb the peace or enjoyment of other persons using the park
- 3.19 Operate or park a vehicle, trailer, motor home or motorcycle in a park other than in areas designed or designated for that purpose

#### **Section 4 – Camping / Campground**

- 4.1 No person shall camp overnight in any park or on a highway, except in an area designated for that purpose, unless permission is first obtained from the CAO
- 4.2 Camping is permitted at the Bentley Municipal Campground when the campground is declared open by Motion of Council.
- 4.3 Campground reservations must be made through the Bentley Municipal Office only. Payment, in full, must be made at the time of reservation.
- 4.4 All campers are required to register and to pay the daily rate charge, as set by Council.
- 4.5 A camping permit shall be deemed to have been issued upon payment of the daily rate charge
- 4.6 Only one camping unit is allowed per camp site.
- 4.7 Quiet hours are in effect from 11:00 p.m. to 7:00 a.m. every day.



- 4.8 Consumption of liquor and alcoholic beverage must be contained within the individual camp site and open liquor must not be taken off the camp site.
- 4.9 Notwithstanding 4.8, possession and consumption of all liquor and alcoholic beverages within the campground is prohibited during the May Victoria Day long weekend. For the purposes of this By-law, the May Victoria Day long weekend shall include Friday, Saturday and Sunday.
- 4.10 No vehicles are allowed on the grassed areas
- 4.11 No animals, including dogs & cats, are permitted in the shower/washrooms.
- 4.12 No washing of dishes are permitted in the shower/washrooms.
- 4.13 Speed limit within the campground is 10 km/hr
- 4.14 Campsites must be kept neat and tidy at all times
- 4.15 No person shall stay in the campsite longer than 14 nights without seeking permission from the CAO
- 4.16 The Campground Attendant may use his/her discretion to refuse admittance or cancel a camping permit to any patron(s) and request a patron(s) to leave the campground when an infraction of this By-law has occurred.
- 4.17 On expiry or cancellation of a camping permit, the permit holder shall vacate the camp site and remove all shelter equipment and other property and ensure the site is left in a clean and orderly manner.

## **Section 5 – Open to the Public**

- 5.1 All parks, playgrounds and ball diamonds will be open to the public every day during the hours of 7:00 a.m. to 11:00 p.m. All parks, playgrounds and ball diamonds shall be closed to the public from 11:00 p.m. to 7:00 a.m.



## **Section 6 – Powers of an Enforcement Officer**

- 6.1 For the purposes of this By-law, an Enforcement Officer may;
- a) Enter on and inspect any land, road, structure or work in any park, public facility or campground
  
  - b) Order any person in any Park, public facility or campground to cease or refrain from any act or conduct which constitutes a breach of this By-law, is dangerous to life or property, or detrimental to the use and enjoyment of the said park, public facility or campground
  
  - c) Remove from a park, public facility or campground
    - i) any person making an unauthorized use of the area
    - ii) any person failing to comply with any provisions of this By-law
    - iii) any person creating a nuisance or disturbance or committing a trespass or any undesirable act,by force, if necessary.

## **Section 7 – Other**

- 7.1 The Town of Bentley parking lot located at 4918 – 50 Avenue, adjacent to the Bentley Municipal Office shall be open to public use every day during the hours of 7:00 a.m. to 11:00 p.m. and shall be closed to the public from 11:00 p.m. to 7:00 a.m.
- 7.2 Any unauthorized person found to be in any park, playground, campground and/or the Town parking lot during the period of time it is closed shall be trespassing.
- 7.3 Possession and consumption of all liquor and alcoholic beverage within any park, playground, picnic area and boulevards of the Town, unless otherwise permitted, is prohibited.

## **Section 8 – Penalties**

- 8.1 Any person who contravenes a provision of this By-law is guilty of an offense and upon summary conviction is liable to a fine of not less than Two Hundred (\$200.00) dollars, not in excess of One Thousand (\$1,000.00) dollars and / or eviction from the park, campground, playground, boulevard or picnic site.

## **Section 9 – Exemptions**

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

*By-laws No. 90/04, 114/2007, 119/2007, 134/2009 and 135/2009 are hereby rescinded by the passing of this By-law.*

Read a first time in open Council this 26<sup>th</sup> day of January, 2010.

Read a second time in open Council this 23<sup>rd</sup> day of February, 2010

Read a third time in open Council and finally passed this 23<sup>rd</sup> day of February, 2010.



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Mayor



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Chief Administrative Officer