

The Corporation of The Township of Scugog

By-law Number 33-22

Being a by-law to regulate, protect and control the use of all public parks, recreation areas and park buildings in the Township of Scugog.

Whereas the Council of the Township of Scugog is empowered to establish rules and regulations governing the management, maintenance, improvement, operation, conservation, control, protection and use of property held by the Township for recreation, leisure or community purposes;

And Whereas the general welfare and quality of life in the community is enhanced by the availability and efficient use of recreation, leisure and community use of property within the Township;

And Whereas the Council of the Township of Scugog considers it appropriate to pass such a by-law to regulate and control the use of public parks, recreation areas and park buildings;

Now therefore the Council of the Corporation of the Township of Scugog
Enacts as follows:

1. Definitions

- 1.1 "Authorized Sign" means any sign, notice, or other device placed or erected in or upon a park, under the authority of this by-law;
- 1.2 "Barbeque" means a portable or fixed device, whether powered by coal, wood, propane or other fuel, or electricity, including smokers, rotisseries, hibachis, or any other device designed and intended solely for the cooking of food in the open air;
- 1.3 "Control" includes care and custody;
- 1.4 "Council" means the Council of the Corporation of the Township of Scugog;
- 1.5 "Designated Area" means an area defined or constructed for a specific use which may include conditions;
- 1.6 "Director" means the Director of Community Services for the Township, or a designate and any Township employee acting under his or her direction;
- 1.7 "ESA" means an area designated in the Official Plan for the Township of Scugog or the Region of Durham, which is environmentally significant, and which is under public ownership and/or management, containing features and/or attributes of environmental and natural significance that warrant their retention in a natural state;
- 1.8 "Fireworks" means devices containing combustible chemicals that cause explosions or spectacular effects;
- 1.9 "Hunt" includes chase, pursue, follow after or on the trail of, search for, shoot at, stalk or lie in wait for, molest, take or destroy any animal or bird, whether or not the animal or bird be then or subsequently captured, injured or killed;

- 1.10 “Motor Vehicle” includes all vehicles defined as “Motor Vehicles” under the Highway Traffic Act and all motor assisted bicycles, motorized snow vehicles, traction engines, farm tractors, self tractors, self propelled implements of husbandry or road building machines, but excludes a wheelchair or a similar device (powered or otherwise) used by an individual due to a disability, a baby carriage or cart, a child=s wagon, child=s stroller, a child=s sleigh or other conveyance of like nature;
- 1.11 “Natural Park Area” means an area which may be an entire park or part of a park, preserved in its natural state or near natural state or an area created to remain thereafter in a natural state as open space and available for use by the public. For the purposes of this definition, natural shall mean established by nature or a selection process favouring survival of organisms best adapted to their environment;
- 1.12 “Officer”, includes Municipal By-Law Enforcement Officer and all other peace Officers as described in the Criminal Code of Canada;
- 1.13 “Park” or “Park Property” means land and land covered by water and includes wood lots, ravine, playgrounds, beaches, water, outdoor swimming pools, wading pools, memorial squares, gardens, trails, urban forest, waters or parkettes and any other areas owned by the Township and made available for use as open space, including a Natural Park Area and an ESA, for active or passive recreation, or used for a purpose accessory thereto;
- 1.14 “Park Building” shall include all recreation centers, arenas, indoor swimming pools and any other building owned by the Township or used by the Township for active or passive recreation or used for a purpose accessory thereto, save and except for Community Halls;
- 1.15 “Parking Areas” means any area or tract of land designated for the parking of vehicles;
- 1.16 “Permit” means any written authorization of Council or the Director where such authority has been delegated;
- 1.17 “Recreation Area” means an area or building or combination of both under the control of the Township which is supervised and maintained by the Township and includes a tennis court, arena, swimming pool, wading pool, spray pad, play area sports field which are designated for the purpose of offering recreation to the public;
- 1.18 “Structure” means any construction or any production or piece of work artificially built up or composed of parts joined together in some definite manner and without limiting the generality of the foregoing includes a wading pool, monument, fountain, bridge, fence, wall, gate, pavement, sidewalk, walk, swing, slide, playground apparatus, table, seat, bench, shelter, barbeque, sign, vase and recreational equipment;
- 1.19 “Township” means the Corporation of the Township of Scugog’
- 1.20 “Unmanned Aerial Vehicles” (UAV) are power drive aircraft such as drones which may be remotely controlled or can fly autonomously through software-controlled flight plans in their embedded systems working in conjunction with onboard sensors and Global Positioning System.

2. General

2.1 Use of Parks:

2.1.1 The Parks, Recreation Areas, Park Buildings and Parking Areas of the Township are for the benefit and pleasure of the public and no person shall use the said Parks, Recreation Areas, Park Buildings and

Parking Areas except in accordance with the rules and regulations hereinafter set out in this By-Law.

2.2 Hours of Operation:

Except as otherwise expressly provided in this be-law:

- 2.2.1 All Parks shall be closed from 11:00 p.m. each day to 7:00 a.m. the following day, during the period from April 1st to September 30th, inclusive;
- 2.2.2 All Parks shall be closed from 10:00 p.m. each day to 7:00 a.m. the following day, during the period from October 1st to March 31st, inclusive;
- 2.2.3 During the time a Park is closed, as hereinbefore provided, no person except an Officer or Township employee while on duty, shall enter or remain on Park Property and, during such period, no person shall leave a vehicle on Park Property;
- 2.2.4 No person shall enter into or remain in a park, park building or posted park area when closed to the public
- 2.2.5 Notwithstanding the foregoing, Parks may be opened at any time with the authorization of the Director;
- 2.2.6 The Director is authorized to close off for such temporary periods as the Director deems appropriate any Park or part or parts thereof to relieve or prevent overcrowding or traffic congestion, or in the interests of public safety or as may be otherwise authorized by Council;
- 2.2.7 The Director is authorized to post signage of permission, regulation, warning or prohibition with respect to the uses of or activities in any Park or Park Building in accordance with the provisions hereof;
- 2.2.8 Park Buildings, exclusive of Arenas, shall be closed from 11:00 p.m. each day to 7:00 a.m. the same day, and during the hours that the Park Buildings are closed, no person, except Officers and Township employees while on duty, shall enter on or remain therein;
- 2.2.9 The Township may grant a Permit on such terms as it shall consider appropriate for the safety and protection of the Parks and Park Buildings and its occupants, to any person, persons, or organizations to enter upon or remain in any one or more of the Parks, or Parks Buildings, beyond the time specified in 2.2.1, 2.2.2, 2.2.3 and 2.2.8 hereof, provided that upon the expiry of the time stipulated in such Permit, no person shall enter on or remain in such Park or Park Buildings, except Officers and Township employees while on duty;

3. Conduct:

No person shall within any Park, Recreation Area, Park Building or Parking Area shall:

- 3.1 indulge in any riotous, boisterous, violent, threatening, or illegal conduct or use profane or abusive language;
- 3.2 create a nuisance by loitering, spying, accosting, frightening, annoying or otherwise disturbing other persons;

- 3.3 create a nuisance or in any way interfere with the use and enjoyment of a Park, Recreation Area, Park Building or Parking Area by other persons;
- 3.4 play, organize, encourage or otherwise take part in any game or activity involving thrown, hurled or propelled objects, which without limiting the generality of the foregoing shall include baseball, softball, fastball, hardball, cricket, hockey or lacrosse in a Park, Recreation Area, Park Building or Parking Area not designed for that type of game or activity or that may cause an element of danger to those people not involved in the same game or activity;
- 3.5 roller skate, inline skating or use a skate board that may cause an element of danger to those people not involved in the same activity, except as may be authorized by the Director;
- 3.6 smoke in a park, in accordance with the Township Outdoor Smoking Bylaw;
- 3.7 discharge a firearm, air gun or air pistol;
- 3.8 use any catapult, or sling shot;
- 3.9 beg, solicit, or panhandle for any purpose;
- 3.10 distribute, discard, or display any handbill, notice, or other circular, bill or advertisement;
- 3.11 dwell, camp or lodge in any park;
- 3.12 hunt, kill, injure or disturb any wildlife in a park; or touch, injure, remove any nest or egg therefore,
- 3.13 obstruct in any way a roadway or path or dissuade access to any Park, Park Building or Parking Area;
- 3.14 encroach upon or take possession of a Park, Recreation Area, Park Building or Parking Area by any means whatsoever, including the construction, installation, or maintenance of any fence, or structure, the dumping or storage of any materials or plantings, or planting, cultivating, grooming or landscaping, thereon;
- 3.15 enter any public swimming pool or area except at designated times for swimming;
- 3.16 fail to abide by posted signs in or adjacent to any swimming pool or area, or to obey the instructions of any lifeguard or other authorized person;
- 3.17 swim, bathe or wade in the waters of any fountain or ornamental pond, pond, except in designated areas;
- 3.18 dress or undress in a park or park building except in proper change facilities;
- 3.19 dispose, dump, deposit, litter, or otherwise leave any bottle, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or other trash except in the refuse receptacles provided;
- 3.20 dispose or dump garden refuse, trimmings or landscaping materials;
- 3.21 dispose or dump snow, fill, soil, building or construction materials;
- 3.22 have in his or her possession any air horn or similar device;
- 3.23 use any area of a park for play or practice for an organized team, group, club or private business.

4. Damage of Property:

No person shall within any Park, Recreation Area, Park Building or Parking Area shall:

- 4.1 destroy, cut, mark, break, dig, pull up, burn or in any way damage, injure, remove, alter or deface:
 - 4.1.1 any tree, flower, flower bed, bush shrub, plant, sod, grass or other vegetation;
 - 4.1.2 any wading pool monument, fountain, bridge, fence, wall, gate, roadway, pavement, parking area, sidewalk, walk, swing, slide, playground apparatus, table, seat, bench, shelter, barbeque, sign, vase, refuse receptacle or other property of the Township whether moveable or immoveable; or
 - 4.1.3 any building or other Structure, or any apparatus thereof;
- 4.2 pollute or foul any stream, river, lake or pond or the waters of a swimming or wading pool;
- 4.3 distribute or display any advertisement, notice, bill or paper in a park or a park building or affix any advertisement, notice, bill or paper to any vegetation, structure or building in a park or park building.
- 4.4 clean, polish, maintain or repair any motor vehicle in a park.

5. Permitting of Parks and Park Buildings:

While in any park, no person shall organize, arrange, or participate in any of the following activities in a park or park building, unless authorized by the Director or in accordance with a permit/prior authorization to specially allow for:

- 5.1 any game or activity referred to in 3.4 hereof, in the area or areas of the Park, Recreation Area or Park Building and for the time or times there in stipulated;
- 5.2 the issuance of a Permit pursuant to this by-law shall not relieve any person or group from the necessity of acquiring any other license or permit required for such activity by any governmental or public authority;
- 5.3 any person playing, organizing, encouraging or otherwise taking part in any games or activity authorized by a Permit issued under 5.1, hereof shall be deemed not to have contravened the provisions of this by-law; provided that such game or activity is carried on in the place or places and during the time or times designated in the Permit;
- 5.4 any person, persons or organization that are granted a permit pursuant to 5.1, hereof may have the exclusive use of such portion or portions of any Park, Recreation Area or Park Building designated in the Permit for the time or times therein set out.
- 5.5 holding a picnic, organized gathering or event for more than twenty-five people;
- 5.6 using, riding, training, or racing any horse or any large animal similar;
- 5.7 flying, operating or using any engine powered airplane or unmanned aerial vehicle (UAV);
- 5.8 operating loud speakers or amplifying equipment;
- 5.9 publicly soliciting any individual for any purpose, including:

- 5.9.1 any food, drink or refreshment;
- 5.9.2 any goods, wares, merchandise or articles including promotional material, souvenirs and novelties; or
- 5.9.3 any art, skill, service or work,
- 5.10 posting, nailing, attaching, stencilling or otherwise fastening or erecting any poster, sign, notice, placard, or other circular, bill, advertisement or paper to any park property;
- 5.11 consuming, serving, possessing or selling alcoholic beverages unless authorized by Permit, Township Council and with the approval of the Liquor Control Board of Ontario (LCBO);
- 5.12 placing, installing or erecting any temporary or permanent tent or Structure;
- 5.13 barbecuing or otherwise cooking;
- 5.14 building a fire without a permit issued by the Fire Chief of the Township;
- 5.15 igniting, discharging or setting off any firecrackers, rockets or other Fireworks except as a Fireworks display;
- 5.16 riding, driving, stopping or parking a motor vehicle or motorized recreational vehicle in a park except in a designated parking lot and in a designated parking space;
- 5.17 operation of an amusement ride, hot air balloon or game of chance in a park or park building;

6. Temporary Closure:

- 6.1 The Township may at any time when it is deemed advisable to do so, close to the public any Park, Recreation Area, Park Building or Parking Area or any portion thereof, and require payment from any person to enter any such place and no person shall enter such Park, Recreation Area, Park Building or Parking Area or any portion thereof with out first paying such a fee for admission to the person duly authorized by the Township for the collection of such fee.

7. Docking:

- 7.1 No person shall attach any boat to any dock, wharf, tree or other property under the jurisdiction of the Township between the hours of 11:00 p.m. each day and 7:00 a.m. the following day, unless authorized by the Director;
- 7.2 no person shall attach any boat to any dock, wharf, tree or other property under the jurisdiction of the Township for a total period longer than 12 hours in any one day, unless authorized by the Director;
- 7.3 no person shall dock or leave any boat attached to any property under the jurisdiction of the Township in any area specified "No Docking" by signs erected under the authority of the Township unless authorized by the Director;
- 7.4 notwithstanding 7.1, 7.2, 7.3 hereof, the Township may charge a fee for night docking or hydro service during a day tie up, which fee shall first be authorized by the Director.

8. Animals:

- 8.1 No person having care, ownership or control of any animal or pet shall permit such animal or pet to enter upon or be and remain in any Park,

Recreation Area, Park Building or Parking Area unless such animal or pet is a cat or dog restrained by a leash not exceeding 1.82 meters (6=) in length. Dogs are only permitted to be off leash in designated off leash parks;

- 8.2 No person having care, ownership or control of any animal or pet shall permit such animal or pet to enter upon or be and remain on any beach;
- 8.3 No owner, or person having control of any animal or pet shall permit such animal or pet to swim in any swimming or wading pool, splash pad, beach, fountain, stream or pond located in any Park, Recreation Area, Park Building or Parking Area or both or permit such animal to swim in any water adjoining such Park, Recreation Area, Park Building or Parking Area, excluding blind/disabled persons reliant upon a guide dog;
- 8.4 Any person owning, harbouring or possessing a dog or cat or other animal shall immediately remove and dispose of, in a hygienic manner, all excrement deposited on the grounds of any Park by such animal;

9. Encroachment:

- 9.1 Should any person(s) encroach upon any Park, Recreation Area, Park Building or Parking Area the Township shall notify such person to cease such encroachment and warn such person that if he or she fails to do so the Township may take such steps as are necessary to preclude the continuance of the encroachment and if the Township takes such steps and rectifies the continuance of the encroachment, it may recover the costs of such action from the respective property owner;
- 9.2 No person shall within the limits of a Park, Recreation Area, Park Building or Parking Area, leave or store any vehicle, structure, machinery, equipment, merchandise or other material without having first obtained permission from the Director; in case of a contravention of the provisions of subsection (a) hereof the employees, servants and agents of the Township hereby empowered to remove the article or thing from the Park, Recreation Area, Park Building or Parking Area and to charge the cost of such removal to the owner thereof.

10. Administration and Enforcement:

- 10.1 This By-Law shall be administered by the Director of Community Services;
- 10.2 This By-Law shall be enforced by an Officer;
- 10.3 Any Officer may exclude or remove from any Park, Recreation Area, Park Building or Parking Area any person or persons violating any provision of this By-Law.
- 10.4 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-law.

11. Penalty:

- 11.1 Any person who contravenes any of the provisions of this By-Law, is guilty of an offence and on conviction is liable to a fine in such amount provided for by the Provincial Offences Act, RSO.1990.c33. as may be amended from time to time.

12. Own Risk:

- 12.1 Any person using any Park, Recreation Area, Park Building or Parking Area does so entirely at his or her own risk, and the Council and the Township shall not be liable for in any way for any action, cause of action, claim or demand, for, upon or by reason of any damage, loss or injury

that any time may be sustained by any person using any Park, Recreation Area, Park Building or Parking Area with or without permission in consequence of any accident or injury.

13. Exclusions and Exemptions:

13.1 This By-law shall not apply to:

13.1.1 the drivers , operators or other personnel of ambulances, police, fire department vehicles while engaged in the performance of their duties;

13.1.2 employees or agents of the Township while engaged in works or services undertaken for or on behalf of the Township; or

13.2 This by-law shall be subject to provisions of contracts and agreements now or hereafter entered into by the Township covering works or services to be performed in any park.

14. Severability:

14.1 If a court of competent jurisdiction should declare any section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in full force and effect.

15. Repeal:

15.1 That By-Law Number 48-05 is hereby repealed

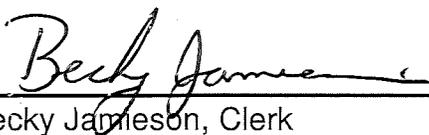
16. Effect:

16.1 This By-law shall come into full force and effect on the day of passing.

This By-law Read and Passed on the 27th day of June, 2022.



Roberta Drew, Mayor



Becky Jameson, Clerk