



## THE CORPORATION OF THE CITY OF BRAMPTON

**BY-LAW****Number** 109-81

A by-law to provide for the management, control, regulations, maintenance and usage of all parklands and water areas situate within parklands and properties owned by The Corporation of the City of Brampton for park or recreation purposes.

WHEREAS the Council of The Corporation of the City of Brampton is empowered to manage, control, regulate and maintain the use of all parklands and properties within parklands;

AND WHEREAS it is deemed desirable that the parklands and properties be maintained and controlled for the enjoyment and benefit of the citizens of the City of Brampton.

NOW THEREFORE the Council of The Corporation of the City of Brampton hereinafter referred to as the 'City' ENACTS AS FOLLOWS:

**1. DEFINITIONS**

In this by-law

- (a) "Boat" includes a windsurfer or surfsailer;
- (b) "Council" means the elected Council of The Corporation of the City of Brampton;
- (c) "City" means The Corporation of the City of Brampton;
- (d) "Commissioner" means the Commissioner of Parks and Recreation duly appointed by Council;
- (e) "Department" means the Parks and Recreation Department of the City of Brampton;
- (f) "Parklands" means any and all lands owned by or made available by lease, agreement or otherwise to the City that has been or hereafter may be set apart, designated, dedicated or established by the Council as public parkland and includes the water areas and shoreline of such property.
- (g) "Properties" means any and all buildings, structures, equipment, trees, shrubs, horticultural display, benches, tables, walkways, tennis courts, arenas, rinks, pools, waste disposal containers,

playground apparatus, shelters, washrooms, fencing, lighting, parking areas or other such properties that may be placed or erected on City of Brampton parklands;

- (h) "Posted Area" means any area that is posted by sign, notice or other device for a specific purpose or to restrict certain activities in or on City parklands under the authority of this by-law;
- (i) "Parking Area" means an area that is physically laid out or improved for the purpose of parking vehicles or that is designated by an official sign for such purpose in or on a City parkland;
- (j) "Roadway" means an area that is physically laid out or improved for use by vehicular traffic except where posted as a service road for City vehicles only;
- (k) "Vehicle" means any motorized vehicle or conveyance including trucks, automobiles, trailers, buses, motorcycles, snowmobiles, or other modes of transportation of a like nature;
- (l) "Walkway" means an area that is physically laid out or improved for use in or on City parkland by pedestrians, and non-motorized manually propelled vehicles;
- (m) "Bicycle Path" means an area that is physically laid out and approved for use in or upon the City parkland for the users of bicycles;
- (n) "Officer" means a constable and any Provincial Offences officer designated as such pursuant to The Provincial Offences Act.
- (o) "Swimming Area" means an area designated by the Commissioner for swimming and bathing and includes lands and beaches designated as forming part of such area.

2. COMMISSIONER'S DUTIES

It shall be the duty and the responsibility of the Commissioner of Parks and Recreation or, in his absence, any persons designated by him to:

- (a) administer the management, control, regulations, maintenance, development and usage of all parklands and water areas therein and properties and the employment and performance of departmental personnel;

- (b) enforce the provisions of this by-law through the appropriate authorities;
- (c) issue any necessary licences or permits pursuant to the provisions of this by-law;
- (d) establish fees and charges relating to licencing and the usage of boats, beach and recreational facilities;
- (e) recommend to Council, as required, from time to time revisions, additions or amèndments to the by-law for the improvement to the management, control, regulations, maintenance, and usage of the parklands and properties.

3. CONDUCT OF PERSONS USING PARKS OR PROPERTIES

- (1) No person shall, within the parks,
  - (a) remove or damage any plant, shrub or flower;
  - (b) climb, remove or damage any tree or fence;
  - (c) climb, remove or damage any bench, seat, table, monument or sign;
  - (d) climb, deface, or damage any bridge, wall or similar structure;
  - (e) deface or damage any building; or
  - (f) deface or damage any other property of The Corporation of the City of Brampton.
- (2) No person shall throw or dump, or cause to be thrown or dumped, or leave any refuse, garbage, or any other material or litter within the parks, except in receptacles that may be provided for such purposes.
- (3) No person shall permit, carry, or otherwise allow any animal upon or into City parkland with the exception of household pets who must be kept under control. Without limiting the generality of the foregoing, no person shall permit a horse, dog, or other animal to be at large in the parks and all dogs shall be led by a leash or chain being not more than two (2) metres long or controlled by the means of such a leash or chain being not more than two (2) metres long. No person shall allow an animal under their control to be within 10 feet of a lake shoreline. No dog or animal under the control of any person shall be allowed to damage property in the parks

and it shall be an offence for a person to allow such damage by an animal in his or her possession. All owners of animals shall clean the park of excrement from their animals and the parks must be so cleaned of excrement within a reasonable period or upon demand from any constable or provincial offences officer.

- (4) No person shall ride a horse within the parks except with the permission of the Commissioner.
- (5) No person shall kill, maim or in any way molest or disturb any animal, bird or waterfowl that is enclosed or whose habitat is in City parkland.
- (6) No person shall within the parks:
  - (a) possess an air gun, firearm, gas operated or spring operated gun, archery equipment or catapult; or
  - (b) fire or discharge any torpedo, rocket or other fireworks, without the permission of the Commissioner.
- (7) No person shall build or light an open fire within the parks without the prior approval of the Commissioner and the written permission of the Fire Department and further, no person shall build or light a fire within the parks in places other than in fireplaces provided by the City, or in portable stoves or on barbeques used in picnic or parking areas designated by the Commissioner. No person shall leave a fire unattended nor leave an area without completely extinguishing the said fire when not in attendance.
- (8) No person shall go on foot or otherwise upon the grass, lawn or turf in the parks when a sign of prohibition is posted.
- (9) No person shall conduct or participate in sports or other active endeavours in areas that are designed specifically as horticultural and landscape sites, passive and sitting areas and facilities for young children.
- (10) No person shall enter a posted area that is designated "No Admittance" or "No Trespassing".
- (11) No person shall contravene any posted rules and regulations relating to the operation of arenas, swimming pools, lake areas, recreation centres, or any other City property or

facility.

- (12) No person shall, within the parks, or properties,
  - (a) use abusive or insulting language;
  - (b) throw stones or other missiles;
  - (c) solicit patronage to or for any person, business, rooming house, restaurant, or hotel.
- (13) No person shall, unless authorized in writing by the Commissioner:
  - (a) beg, solicit or invite subscriptions or contributions;
  - (b) sell or offer for sale any article, thing or service;
- (14) No person shall loiter anywhere within the parks or City properties from 11.00 p.m. to 7.00 a.m. For the purposes of this section, the word "loiter" shall mean the act of staying at or near a particular place for more than twenty minutes. Every person who, without lawful excuse, loiters within the meaning of this section, the proof of which lies upon him, shall be guilty of an offence.
- (15) No person shall
  - (a) damage or destroy any notice posted;
  - (b) conduct oneself in a manner that is detrimental to the safety and enjoyment of others using the said parkland;
  - (c) interfere with the enjoyment or use by a pedestrian of any walkway.
- (16) No person shall use any part of City parkland for the purpose of:
  - (a) washing, cleaning, polishing, servicing, maintaining, or with the exception of any emergency, repairing any motorized vehicle or water vessel;
  - (b) instructing, teaching or coaching any person in the driving or operation of a motorized vehicle.
- (17) No person shall:
  - (a) park a vehicle, except in an area designated by the Commissioner, for parking;
  - (b) park a vehicle in a parking area designated by the Commissioner during hours other than those posted in the designated area;

- (c) park a vehicle between 11.00 p.m. and 6.00 a.m. in a place other than a campsite so designated by the Commissioner;

4. CONDUCT OF PERSONS USING WATER AREAS

- (1) No person shall, within the parks or properties;
  - (a) swim or bathe, except in a swimming area;
  - (b) take in or use any boat, surfboard, or water skis in a swimming area;
  - (c) engage in any type of water activity such as skin, scuba or other forms of diving, except with the permission of the Commissioner;
  - (d) take into or possess any glass bottle, metal can or container within a swimming area; or
  - (e) take in or permit any cat, dog or other animal to be within a swimming area;
  - (f) move, damage or in any way interfere with any lifesaving, emergency equipment, or safety signs installed for public safety and information.
- (2) No person shall pollute or contribute to the pollution of a lake, lake area or watercourse.
- (3) No person shall deposit any solid or liquid matter into a lake or watercourse except with the permission of the Commissioner.
- (4) Except at a boat launching ramp provided by the City, no person shall place or permit to be placed any power boat, row boat, sail boat, canoe, pontoon, ice boat, raft, hydroplane or watercraft of any kind upon any portion of the shore of a lake situate within the parkland which is under the jurisdiction of The Corporation of the City of Brampton.
- (5) No boat or vessel may be used or floated upon the lake except for the following:
  - (a) non-motor propelled boats, owned or leased and operated by the City for public rental purposes or for lesson purposes, including sailboats, canoes, kayaks, row boats, paddle boats, windsurfers, or surfsailers;
  - (b) motor propelled boats owned or leased by the City specifically for the purposes of maintenance and safety;

- (c) all other boats whereby the owner has specifically received the authorization of the Commissioner for its use upon the said watercourse or lake. Without limiting the generality of the foregoing, the Commissioner is hereby granted the authorization to grant seasonal permits for the use of boats on a lake. All boat owners or operators shall comply with the terms and conditions of such seasonal permits.
- (6) No boats may be stored on City property and no person may construct docks or any other equipment or structure upon parkland or within the lake area;
- (7) No person shall operate any boat, or float any boat upon the lake, without a permit. This provision applies to all boats as specified in sub-paragraph (5) except those boats whereby the owner has specifically received the authorization of the Commissioner for its use upon the said watercourse or lake.
- (8) All boat operators shall comply with the terms and conditions as specified on the permit.
- (9) Boat operators or boat owners shall pay a permit fee upon demand and prior to the issuance of the permit.
- (10) All boat owners or operators utilizing craft upon a lake or a watercourse within a park or properties shall comply with the following regulations:
- (a) all boats must be removed from a lake at least 30 minutes prior to sunset, and shall not be launched prior to 30 minutes after sunrise;
- (b) all boat owners or operators shall remove their boats from the lake immediately on notification from the City of hazardous weather conditions or other emergencies; such notice to be provided by posting or some other form of warning signal or communication;
- (c) all permits issued for the use of such boats are not transferrable and such boats may not be loaned to non-licensed operators;
- (d) all boat operators and passengers must be 16 years of age or older unless accompanied with an adult, or at least 12 years of age or older who can verify successful

completion of either Senior Red Cross or Red Cross Small Craft Level 2.

- (e) all boat operators and passengers must wear certified life jackets;
- (f) No permits shall be issued to any person who is:
  - (1) under 12 years of age; and
  - (2) between the age of 12 and 16 unless the operator can verify successful completion of either Senior Red Cross or Red Cross Small Craft Level 2.
- (g) swimming or diving from boats is prohibited;
- (h) any boat operator or boat owner or passenger not complying with the provisions of this by-law or any safety regulations for boating sanctioned by the Provincial Government, may have their permit or rental usage of boats revoked.

5. GENERAL RESTRICTIONS

- (1) No person shall erect posts or otherwise display any notice, sign, signboard or other advertising device without the written approval of the Commissioner;
- (2) No person shall distribute any handbills, circulars, nor post any notices, bills or advertising devices of any kind or description whatsoever on parkland or park property;
- (3) No person shall make an ascent in a balloon, airplane or other kind of aircraft from the parks, or land thereon from a balloon, parachute, airplane or other kind of aircraft, without written permission from the Commissioner;
- (4) No person shall, without permission from the Commissioner in the parks:
  - (a) carry or display any flag or other emblem;
  - (b) march in military formation, or in a band or procession, parade, drill, or perform any movement or ceremony; or
  - (c) perform any act that congregates or is likely to congregate persons, without the written permission of the Commissioner.
- (5) No person shall make any excavations in the parks for any purpose without the written permission of the Commissioner.
- (6) No person shall move, within the parks, any building, or structure without the written permission of the Commissioner.

- (7) No structures, benches or docks shall be allowed to be constructed or placed on or near the water's edge except for structures owned by The Corporation of the City of Brampton.
- (8) No fishing shall be allowed except at designated shoreline locations and from authorized boats at times and dates specified and posted by The Corporation of the City of Brampton. The use of live bait or any type of fishnetting is prohibited. Any fish caught or captured may not be cleaned in the park or deposited in the lake.
- (9) Ice skating or tobogganing on a lake or watercourse during the winter months shall be prohibited, except in areas so designated and marked for such purposes.
- (10) No person shall ice sail or ice fish on a lake except with the written authorization from the Commissioner.
- (11) The Commissioner has the right and authority under this by-law to post signs and to restrict or limit the use or attendance to a lake or beach at any time it is deemed necessary in the interest of public safety and welfare.

6. PICNICS, GAMES AND GATHERINGS

- (1) The Commissioner may designate the place and time at which picnics may be held in the parks. No person shall picnic in the park in an area designated and posted "No Picnics allowed in this area".
- (2) The Commissioner may designate the place and time of any athletic game or other form of recreation or amusement proposed to be held in the park. No person shall hold any athletic game or other form of recreation or amusement except in accordance with the designations of the Commissioner.
- (3) No person shall conduct any public meeting, gathering, lecture, carnival, festival, firework display, overnight camping, picnics involving more than 15 people, or other organized events without the written approval of the Commissioner.
- (4) No person shall operate or use any apparatus, mechanism or device for the amplification of the human voice, music or sound without the prior written authorization of the Commissioner.

7. DISTURBANCES

- (1) No person shall cause or create any unnecessary noise or disturbance that contravenes the anti-noise by-law of the City of Brampton in City parkland or property.
- (2) No person shall turn on or tamper with any lighting control equipment or facilities relative to parkland property without the authorization of the Commissioner.

8. TRAFFIC AND VEHICULAR CONTROL

- (1) Except as otherwise provided in this by-law, no person shall:
  - (a) park a vehicle within 50 feet of a bridge, or in a place that prevents or is likely to prevent convenient movement of other vehicles, or in any prohibited area;
  - (b) park a vehicle for a longer period than that time designated by the erection of signs indicating a maximum period of parking in a particular location; or
  - (c) park any vehicle in a place other than an area designated by the Commissioner for the parking of vehicles.
- (2) No person shall operate a motor vehicle that is not
  - (a) a vehicle licenced for use on public highways in Ontario;
  - (b) in an area not specifically designated for use by that type of vehicle.
- (3) No person shall operate a motor vehicle at a greater rate of speed than 15 miles per hour and at a speed which would interfere with or endanger any person in the said parkland.
- (4) No person shall operate a motorized vehicle except upon roadways, parking areas or any other areas designated for use by motorized vehicles or any other area intended for public vehicular use.
- (5) No person shall ride a bicycle within the parks, except on portions of a highway or bicycle paths commonly intended for the public use.
- (6) No person shall, within the parks, drive a motorized snow vehicle as defined in the Motorized Snow Vehicles Act, except in areas specifically designated for that purpose by the Commissioner and with the written authorization by the

Commissioner.

- (7) No person may park or store or leave a motor vehicle in front of a public building, emergency exit, walkway or entrance to any structure which might in any way interfere with the normal flow of traffic on a roadway or parking lot.
- (8) Where any vehicle is parked or left in contravention of any of the provisions of this by-law an officer may cause the vehicle to be removed or taken to or placed or stored in a suitable place at the owner's expense.
- (9) Where proper signs have been erected indicating one way traffic on any Roadway no person shall drive a vehicle on the Roadway except in the direction indicated by the signs.
- (10) An officer may in cases of fire, accident, traffic congestion or other emergency direct traffic into such channels as are necessary to prevent or relieve congestion.
- (11) No person shall operate or drive within the parks a public commercial vehicle as defined in The Public Commercial Vehicles Act. This subsection does not apply to a public commercial vehicle when making deliveries within the parks. or to an owner or tenant of the property abutting the parks.
- (12) No person shall use any form of motorized recreational passenger vehicle except in areas designated for such use. Without limiting the generality of this provision this provision also applies to motorized recreational or passenger vehicles upon water areas.
- (13) No person owning or operating a bicycle shall allow such bicycle to exceed a speed of 8 kilometres per hour (5 miles per hour) within the park area. At places of frequent pedestrian usage, all cyclists are required to dismount and walk their bicycles for public safety.

9. GENERAL PROVISIONS

The Commissioner or his designate has the right and authority under this by-law to post signs and restrict or limit the use or attendance on any part or portion of the park area at any time and for any manner that it is deemed necessary for the interest of the public safety and welfare. No person shall contravene any designation made by the Commissioner under this section.

10. No person shall operate a sightseeing vehicle within the park except with the written authorization of the Commissioner.
11. No person shall engage in hockey or carry or use a hockey stick or similar equipment on a natural or artificial ice surface which is designated by the Commissioner for pleasure skating only.

12. PARKS & RECREATION PERMITS

Organizations operating under City of Brampton auspices may apply for and may be granted an annual permit which shall be deemed to cover all of its activities and programmes that may be undertaken in and on parklands and properties and shall be deemed to have received written permission under this by-law for its activities where required by this by-law.

13. PENALTIES

- (1) Every person who contravenes any of the provisions or regulations under this by-law is guilty of an offence and may be ordered off public parkland, properties or water areas owned by the City, and each person is liable upon summary conviction, to a penalty not exceeding two thousand dollars (\$2,000.00), exclusive of costs for each such offence.
- (2) Where a vehicle is found parked or standing in contravention of the provisions of this by-law, the enforcing official may issue a summons or issue and attach to or place on the vehicle a ticket in the form of a serially numbered notice stating:
  - (a) the licence number and a concise description of the vehicle;
  - (b) that the vehicle is unlawfully parked;
  - (c) the date, time and place of the alleged offence;
  - (d) that the owner or driver thereof may make a voluntary payment of five dollars (\$5.00) to The Corporation of the City of Brampton, by attendance at its offices between the hours of 8:30 a.m. and 4:30 p.m., exclusive of Saturdays, Sundays and holidays, or by mail thereto, within five (5) days after the day upon which the ticket was issued;
  - (e) that in the event of a failure to make such payment, a summons will be issued pursuant to The Summary Convictions Act;

(f) an enforcing official, upon discovery of any vehicle parked or standing in contravention of the provisions of this by-law, may cause it to be moved or taken to and placed or stored in a suitable place, at the owner's expense, and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by section 48 of The Mechanics' Lien Act;

(g) the driver of a motor vehicle, not being the owner, is liable to any penalty provided in this by-law, and the owner of the motor vehicle is also liable to such a penalty unless at the time the offence was committed, the motor vehicle was in the possession of a person other than the owner without the owner's consent.

14. REPEAL OF BY-LAWS

All parkland by-laws, parts of by-laws, or amendments passed by the Council of The Corporation of the City of Brampton or passed by any municipal authority to which the City of Brampton is the seccessor which are inconsistent with the provisions of this by-law are hereby repealed and without limiting the generality of the foregoing, the following by-laws are specifically repealed;

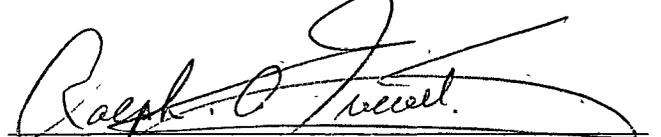
By-law 22-75

By-law 82-81

This by-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 11th day of May, 1981.

  
JAMES E. ARCHDEKIN MAYOR

  
RALPH A. EVERETT CITY CLERK

PASSED May 11, 1981

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No. 109-81

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