

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER P-600**

BY-LAW RESPECTING MUNICIPAL PARKS

BE IT ENACTED by the Council of the Halifax Regional Municipality as follows:

Short Title

1 This By-law shall be known as By-law Number P-600, and may be cited as the “Municipal Parks By-law.”

Definitions

2 In this By-law,

- (a) “Director” means the Director of Works and Natural Services or designated assign;
- (b) “Region” means the Halifax Regional Municipality;
- (c) “Park” means any land, owned, leased, or controlled by the Halifax Regional Municipality, designated or used as parkland or as a trail, including gardens, playgrounds, sport fields, and beach areas;
- (d) “Trail” includes walkways within a park or which about a park and provide a means of access to a park;
- (e) “Utility” means any corporation that provides water, power, telecommunication services, natural gas or other gas intended for use as a fuel;
- (f) “Watercourse” includes the bed and shore of every river, stream, lake creek, pond, spring, lagoon or other natural body of water, and the water therein, whether or not it contains water or not, and all ground water.

Protection of Park

- 3** (1) While in any park, no person shall do, cause or permit any of the following:
- (a) add to, remove, destroy, defile, or damage any fauna or flora, or any park facility, structure, equipment, or sign;
 - (b) indulge in any riotous, boisterous, violent, or threatening conduct, or use profane or abusive language;

- (c) play any game in an area where signs have been erected pursuant to this By-law prohibiting such use;
- (d) create a nuisance by spying, accosting, frightening, annoying or otherwise disturbing other persons;
- (e) abandon any animal or plant any tree; or
- (f) foul or pollute any fountain or watercourse.

Protection of Wildlife

4 No person shall molest, disturb, frighten, injure, kill, catch, trap, or ensnare any wildlife in a park unless it is performed by the police, fire department, or staff of the Department of Natural Resources in the course of their duties.

Fire

5 No person shall light an open fire without permission and in full compliance with all municipal by-laws and provincial acts and regulations.

Firearms and Offensive Weapons

6 While in any park, no person shall be in possession of or use any firearm, air gun, bow and arrow, axe or offensive weapon of any kind, except by permission.

Garbage

7 (1) No person shall dispose of or dump any garbage, litter, tree trimmings or any other refuse in a park except that which is generated through the normal use of the park and shall only deposit same in receptacles provided for such purposes.

(2) No person shall bring, carry or transport any waste, refuse or garbage into any park.

Camping

8 (1) Camping is prohibited in a park unless otherwise posted or by permission.

(2) No person shall erect or place in a park any thing for the purpose of temporary or permanent accommodation without permission.

(3) Notwithstanding subsections (1) and (2), the Africville Genealogical Society may hold their annual picnic and reunion in Seaview Park, subject to obtaining the approval of the Director as to the date therefor, which approval shall not be unreasonably withheld.

Special Events

9 REPEALED - HRM BY-LAW C-500

Vehicles in Parks

- 10** (1) No person shall operate any vehicle within a park except wheelchairs, bicycles, Municipal or utility vehicles, unless otherwise posted, or by permission.
- (2) No person shall ride a horse or bicycle in a park except on paths therefor.
- (3) No person shall ride a horse or a bicycle within a park where a sign prohibiting the same has been posted.

Vending

- 11** (1) No person visiting or using a park shall sell or offer to sell, anything whatsoever, except by permission.
- (2) No person shall sell refreshments, or other merchandise or take money for or operate any games, shows or amusements, or operate any business whatsoever in any park without first having obtained the consent in writing of the Director.

Signage

- 12** (1) The Director may cause to be erected a sign or other device specifying an area in a park where specific activities are permitted, prohibited or restricted.
- (2) Every person in a park shall observe and obey every prohibition and restriction stipulated by a sign or other device erected under the above-noted section.
- (3) The Director may cause to be erected any sign as he or she deems appropriate in any park or on any trail including, but not excluding, interpretive, special event, and commemorative signage.

Hours of Operation

- 13** (1) The Director may post signs respecting the hours during which a park is opened or closed.
- (2) No person shall enter or use a park where the entry or use is prohibited by notice.
- (3) No person shall be in a park at any time during the period 10 p.m. to 5 a.m. without permission.

Permission

14 Any permission required pursuant to this By-law shall be given by the Director in writing.

Permits

15 Any permits approved by Council as required within a park shall be given by the Director in writing, including, but not excluding, permits for special events, sport fields, and festivals.

Revocation of Permits

16 (1) The Director may cancel, revoke or suspend any permit where there is a violation of this By-Law and any condition of any permit issued under the authority of this By-Law.

Appeal Procedure

(2) Any person who has been refused a permit or whose permit has been revoked pursuant to the exercise of any discretion by the Director may appeal to the Council.

(3) All appeals shall be in writing, in the form of a notice, and filed with the Municipal Clerk within 15 days of the refusal or revocation and shall clearly state the grounds for the appeal.

(4) The Council shall choose to:

(a) hear the appeal at a time and place as it determines, and may confirm the refusal or revocation by the Director or;

(b) direct the immediate issuance or re-issuance of the permit by the Director.

Liability

17 Nothing in this By-law shall affect the Halifax Regional Municipality's right to commence an action for damages incurred by the Region as a result of any of the matters regulated by this By-Law.

Penalty

18 (1) Every person who violates or fails to comply with any of the provisions of this By-law or the conditions of any permit or order issued under this By-law is guilty of an offence and is liable on summary conviction to a penalty of not less than \$100 and not exceeding \$10,000.00, or in default of payment, to imprisonment for a term not exceeding one year. Each day that the offence continues shall constitute a fresh offence.

(2) A person, who is alleged to have violated this By-law and is given notice of the alleged violation with the amount of the fine completed on the face of the notice, must pay a penalty in the amount of \$100.00 to the Halifax Regional Municipality; provided that, said payment is made within a period of 14 days following the day on which the alleged violation was committed, and where the said notice provides for payment in this manner, may make such payment in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for the violation.

Repeal

19 The following By-laws and Ordinances are hereby repealed except insofar as they repeal any other By-law or Ordinance:

City of Halifax Ordinance Number 188, Respecting City Parks;

City of Dartmouth By-law Number C-300, Respecting City Owned Lands;

Town of Bedford By-law Number 27200, Respecting Parks and Playgrounds.

Done and Passed by Council this 25th day of May, 1999.

MAYOR

MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on May 25, 1999.

Vi Carmichael, Municipal Clerk

BY-LAW P-600

Notice of Motion:	April 27, 1999
First Reading:	May 4, 1999
“Notice of Intent” Publication:	May 8, 1999
Second Reading:	May 25, 1999
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	June 5, 1999

Amendment # 1 (V-101)
Amending Section 18

Notice of Motion:	August 19, 2003
First Reading:	August 26, 2003
“Notice of Public Hearing” Publication:	September 6, 2003
Second Reading:	September 23, 2003
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 27, 2003

Amendment # 2 (C-500)
Amendment to Part 9

Notice of Motion:	July 4, 2006
First Reading:	August 1, 2006
Notice of Public Hearing - Publication:	August 19, 2006
Second Reading:	September 12, 2006
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 16, 2006