

**TO:** Mayor Savage and Members of Regional Council

Original Signed by 

**SUBMITTED BY:**

\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** December 4, 2017

**SUBJECT:** Off-Leash Dog Areas Program and Administrative Order

## ORIGIN

- December 1, 2015 Regional Council motion:

Moved by Councillor Mason and seconded by Councillor Nicoll that Halifax Regional Council:

1. Establish the Off-Leash Park Program as permanent service to be considered as part of annual HRM business planning and budgeting process;
2. Direct staff to develop an Off-Leash Dog Parks Administrative Order (AO) that will replace the Off-Leash Dog Parks Strategy 2007 by establishing: policy objectives, service level requirements, and minimum criteria and procedures for the provision of off-leash facilities based on the Off-Leash Dog Parks Strategy 2007 with the changes and actions outlined in Attachment 1 of the staff report dated November 9, 2015.

**MOTION PUT AND PASSED.**

- May 30, 2017 Halifax and West Community Council motion:

MOVED by Councillor Walker, seconded by Councillor Zurawski

That Halifax and West Community Council request a staff report with recommendations to address the Prospect Road Recreation Association's request that all local ball fields under their purview cease operation as off-season dog parks, due to the lack of care by dog owners, leaving waste to accumulate and allowing the destruction of the fields by dogs.

**MOTION PUT AND PASSED.**

**LEGISLATIVE AUTHORITY AND RECOMMENDATION ON NEXT PAGE**

## **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter*, S.N.S. 2008, c.39, sections:

59(3) In addition to matters specified in this Act or another Act of the Legislature, the Council may adopt policies on any matter that the Council considers conducive to the effective management of the Municipality.

61(3) The property vested in the Municipality, absolutely or in trust, is under the exclusive management and control of the Council, unless an Act of the Legislature provides otherwise.

193(1) Without limiting the generality of Section 188, the Council may make by-laws regulating the running at large of dogs, including permitting the running at large of dogs in certain places or at certain times.

## **RECOMMENDATION**

It is recommended that Halifax Regional Council:

1. Adopt Administrative Order 2017-013-OP, *Off-Leash Dog Areas Administrative Order*, as set out in Attachment A of this report;
2. Adopt By-law P-601, amending By-law P-600, the Municipal Parks By-law, as set out in Attachment C of this report;
3. Approve the continuation of the existing Off-Leash Dog Areas approved pursuant to the 2007 Off-Leash Strategy within Point Pleasant Park, Fort Needham Park, Mainland Common, Hemlock Ravine, Shubie Park, Dartmouth Common, Sandy Lake, and Ardmore Park;
4. Approve the continuation of the existing seasonal Off-leash Dog Areas as listed in Attachment E; and
5. Direct the CAO to identify potential additional Off-leash Dog Areas, pursuant to Administrative Order 2017-013-OP, for the communities of Cole Harbour, Eastern Passage, Spryfield area, and Dartmouth.

## **BACKGROUND**

In recent years, there has been steadily increasing demand for formal off-leash dog areas (OLAs) within parks, as a new form of municipally-programmed recreation use. In 2007 Regional Council approved the Off-Leash Strategy as a pilot project to create a limited number of designated off-leash areas, and to evaluate the costs and problems associated with providing the service. Seven parks were initially approved to include off-leash activity. There have been some changes since that time, with the Africville Park OLA being closed due to incompatibility concerns and the opening of a replacement park on the Mainland Common, as well the opening of a dedicated OLA for service dogs.

A review of the off-leash pilot was undertaken in 2014 and a report to Regional Council in 2015 indicated that the pilot project generally worked well. Expansion of the program was recommended. However, the need for a stronger policy framework, updated planning and site criteria, and clearer procedures for receiving and approving requests for off-leash service were identified. Regional Council directed staff to prepare an Administrative Order (AO) to guide the further expansion and management of the OLA program. In terms of clear gaps in service provision, the review of the pilot project indicated that the communities of Eastern Passage, Cole Harbour, and Purcell's Cove/Spryfield are underserved and are primary candidate

areas for the designation of new off-leash areas. It has also been subsequently identified that there may be inadequate service in Dartmouth through the overuse of Shubie Park.

The following was discussed in the 2015 report:

- Review of 2007 off-leash strategy,
- Best practices and trends,
- Dog licensing data and population distribution,
- Community input,
- Identification of underserved communities,
- Data on 311 calls regarding off-leash areas,
- Enforcement & education efforts,
- Levels of service and a hierarchy of off-leash park types,
- Costs of providing the existing off-leash program and costs of program expansion, and
- Key findings and recommended actions.

Pursuant to that report, Council directed staff to prepare an Administrative Order (AO) to implement the strategy. This report outlines a proposed AO (Attachment A). Further, activities in municipal parks are regulated through By-law P-600 Respecting Municipal Parks. That by-law and the new AO that deals with off-leash areas will need to complement each other for purposes of administration and enforcement and, as such, amendments to P-600 are also required.

### **Prospect Road Recreation Association**

Separate to the overall proposed AO, on May 30, 2017, Halifax and West Community Council approved a motion for a staff report to consider recommendations to address the Prospect Road Recreation Association's request that all local ball fields under their purview cease operation as off-season dog parks, due to the lack of care by dog owners, leaving waste to accumulate and allowing the destruction of the fields by dogs. This request is relevant to this report and, as a result, has been included, as part of the proposed recommendations to Regional Council.

## **DISCUSSION**

The increasing demand for off-leash facilities is a reflection of population and demographic shifts and recreation preferences. Currently HRM issues approximately 16,000 dog licenses per year which is estimated to represent only one-third of the actual dog population. Attachment B shows the general distribution of dog licenses relative to community population, providing an indication of demand for off-leash areas. A formal recognition of off-leash activity as an important recreation program is needed along with a stronger framework for providing the right facilities and spaces for the use. However, not all public spaces are appropriate for off-leash use due to factors such as park size and relationship to adjacent land uses, conflicts in recreational programming, and cultural and environmental values. The 2007 off-leash pilot program therefore sought to respond to demand, while balancing the specific needs of dog owners with broad parks and recreation priorities.

As a result of the pilot project, there are currently seven year-round off-leash areas located in major urban parks, plus one small dedicated off-leash area for service dogs. Each major OLA has been located in a park that can support multiple recreation uses due to the park size, configuration, amenities, and environmental conditions. The size of each OLA varies widely, and provides variable active recreation options for dog owners. Six of the off-leash areas include walking trails of varied length, which encourages greater activity and exercise by dog owners, as opposed to those OLA's where there are no trails and dog owners tend to engage in more passive use. Some parks have limited hours of use for all or part of the OLA. Two of the off-leash areas are supplemented by seasonal off-leash sports fields. The table below provides more details on the availability and length of trails and pathways within each off-leash area.

*Comparison of Primary Off-Leash Areas*

<b>Off-Leash Park</b>	<b>Length of Permanent Off-Leash Trails and Pathways</b>	<b>Length of Time-Limited Off-Leash Trails and Pathways</b>
Point Pleasant Park	9 km	2 km
Hemlock Ravine Park	1.1 km	n/a
Fort Needham*	0	n/a
Dartmouth Common*	0 km	0.95 km
Shubie Park	2.6 km	n/a
Sandy Lake	0.5 km	0.75 km
Mainland Common	0.15 km	n/a
Ardmore Park	0	n/a

\* Off-leash area of park is supplemented by seasonal off-leash use of a sports field in the park.

There are also 28 sports fields designated for seasonal (timed summer and/or winter) off-leash use. Seasonal OLAs are established on sports fields that are not scheduled in the off-season, or on fields that are underused at certain hours of the day in the playing season. The fields supplement the primary network of permanent OLAs and are limited in the level of service they can provide. Map 1 shows the designated OLA's and the designated sports fields. All of these off-leash areas have generally been well received and attract hundreds of people each week from communities across HRM. Some of the parks serve as major regional destinations for dog owners and experience heavy or even excessive use at peak times.

**Impacts of Off-Leash Dog Areas**

The designation of an area for off-leash use has the potential to cause a range of negative impacts. Parks with this service typically become destinations not just for local dog owners, but for dog owners from across the region. While proper siting and good design can help minimize problems, designated areas can lead to heavy usage with increased concerns over parking, conflicts with other park users, damage to park features and infrastructure, increased barking that may affect nearby land uses, and greater problems with uncollected dog waste. Even for off-leash areas that serve a smaller radius, such as seasonal sports fields, these problems can manifest themselves in one or more of the above ways. Increasing the service level within the urban core by providing more off-leash areas will help address some of these problems. However, attention to education, enforcement, and response times to complaints is needed to ensure that conflicts and problems can be dealt with appropriately.

**Relevant By-laws**

There are two municipal by-laws that relate to off-leash areas: *By-law A-700, Respecting Animals and Responsible Pet Ownership*, and *By-law P-600, Respecting Municipal Parks*. Off-leash activity operates under the regulations that are stipulated under both by-laws, and users within any OLA must adhere to these regulations.

- By-law A-700 applies to all dog owners at all times, including those in off-leash areas. It requires owners to license their dogs, requires an owner to pick up after their dog, requires an owner to not permit their dog to make noise excessively, and makes it an offence to own a dog that damages public or private property, or that attacks people or other animals. It is also an offence to own a dog that runs at large, except in a municipal park where the area is designated by signage as an area where dogs are permitted to be without a leash and subject to such limitations as posted. These rules include requirements that dogs must always be in sight of the owner and that the dog obeys the owner's commands when called. Enforcement of the By-law and the related activities outlined within it occurs through By-law Standards within Planning & Development.
- By-law P-600 establishes rules of conduct for individuals that extend to their dogs, by prohibiting damage to a park and the environment, and prohibiting the disturbance of park users. The by-law allows placement of signage to establish usage rules for the park, such as off-leash versus on-leash areas and general rules. Enforcement of this By-law is administered by Parks & Recreation.

The proposed Administrative Order complements both of these by-laws; however, P-600 requires amendments to support the implementation of a formal off-leash program. The needed amendments are namely to enable the Director of Parks & Recreation, the ability to approve the posting of signs to display any special rules determined by Council as part of the OLA approval. These necessary amendments to the By-law are highlighted in Attachment B, with the amending By-law in Attachment C, and updated By-law in Attachment D. In addition, housekeeping amendments to P-600 are proposed to make corrections to typographical errors that exist from the initial adoption of the by-law. These corrections are shown in Attachments B, C and D. It should be noted that where staff are undertaking a comprehensive review of the entire By-law P-600, only necessary amendments that are required for implementation of the AO and typographical changes have been made at this time.

### **Proposed Administrative Order**

The attached draft AO provides a clear framework to guide the establishment of new off-leash areas within parks and sports fields. The AO as shown in Attachment A will, if approved by Council:

- Complement existing by-laws by creating a mechanism where off-leash areas can be created, with the by-laws continuing to provide the enforcement framework;
- Establish Regional Council as the primary decision making authority, as a Community Council does not have the legislative ability under the HRM Charter to establish off-leash areas;
- Enable the Director of Parks & Recreation to designate off-leash areas where the impact of the use on surrounding land uses is anticipated to be minimal, which would be in very limited circumstances;
- Provide clear criteria to evaluate potential new off-leash areas and to designate such areas;
- Enable Regional Council or the Director to modify or close off-leash areas in response to problems that may arise; and
- Enable the Director of Parks & Recreation the ability to approve the appropriate signage.

Adoption of the AO will not result in any changes to the eight OLAs that have been designated to date. Once the AO is in effect, modifications to these areas can take place pursuant to the criteria that are established. Nor will the AO in itself create new OLAs, affect those parks where dogs are currently prohibited in all circumstances, or change the responsibilities of dog owners in any location.

### Typology of Off-Leash Areas

A two-tier typology of OLAs is established within the AO as follows:

*Shared Off-Leash Area* - Shared off-leash areas are designated areas within a park where off-leash dogs and other park users share the space, and includes sports fields. This is the prevalent model for the existing and proposed off-leash area system.

*Dedicated Off-Leash Area* - Dedicated off-leash areas that are designed and developed for off-leash dogs, including service dog areas, as the primary use and normally include fencing to define the area and contain the activity. There are currently only two such areas, a large scale area at Mainland Common and a much smaller area in Ardmore Park that is exclusively for service dogs.

Dedicated areas can either be provided in a form that takes up an entire park, or just a small area of a park. Fencing decreases user conflict by providing separation between competing park uses, and enables off-leash use within an existing park setting without compromising other primary park uses, while protecting ecological or cultural values. As noted, to date, there is only one dedicated fenced off-leash area that is publicly accessible, located on the Mainland Common. This area provides double gates for more secure access/egress to limit dog escapes from the site and has amenities such as a shelter, drinking water for dogs and a small walking trail. The facility is heavily used and generally works well; however, at peak times it can be overcrowded. Such dedicated areas are much more capital intensive and can allow abdication of

owner responsibility, and limit or exclude other park uses. The physical and visual integration of fencing within a park to establish a dedicated area can be a challenge, particularly where chain link fencing is used.

Expansions of the off-leash program will be achieved primarily through the use of shared areas, as the provision of dedicated off-leash areas is anticipated to be the exception rather than the rule. This is for reasons of cost, and because dedicated areas will operate as regional facilities that draw users from a wide area and will be heavily used and therefore need to be substantial in size. Therefore, it is proposed that there be relatively few dedicated off-leash areas, in comparison to the number of shared off-leash areas. The reason why dedicated areas experience high levels of use is the attraction for dog owners that there will be reduced concern for dogs with poor recall training, no conflict with non-dog owners, and increased socialization and exercise opportunities for dogs. Any dedicated areas therefore generally need to be designed to serve a regional population and be of a size that can accommodate a large number of dogs, while providing sufficient parking and adequate separation and/or buffering from adjacent land.

### Designation Process

The proposed AO contemplates that consideration of new off-leash areas would be initiated by one of two possible means. First is through a motion of Regional Council, which may include specific direction to undertake community engagement relative to a specific area where an off-leash area is needed or proposed. The second means would be where the Director of Parks & Recreation determines that an off-leash area can be developed on a given site with minimal impact on surrounding land uses. The Director's discretion would typically allow establishment of off-leash areas in sports fields, on new parkland that is being acquired by HRM, and on sites where there are no abutting or nearby residential uses. This would be in very limited circumstances.

### Evaluative Criteria for Off-Leash Areas in Parks

In considering new off-leash areas within parks, there is a broad range of factors that must be considered. The AO therefore sets out a require to prepare an evaluation, addressing a range of factors including:

- population distribution and dog licensing data;
- that the area is of sufficient size to accommodate the expected level of usage;
- that the use is compatible with the physical and environmental capabilities of the park and is designed to take into account topography, hydrology, vegetation and property configuration;
- the off-leash dog area use is compatible with other recreational activities and can occur simultaneously in the Park without negatively impacting other uses;
- the off-leash dog use does not jeopardize public safety;
- the type and proximity of nearby land uses outside of the park, and that adequate separation distances or mitigation measures are available to provide an appropriate buffer;
- the availability of sufficient and appropriate parking;
- any appropriate regulations or design features which should be imposed to satisfy the above criteria;
- opportunities to encourage greater level of physical activity by dog owners, such as having trails where owners can walk while their dog is off-leash; and
- the financial implications of establishing the off-leash dog area.

### Distribution and Size of Off-Leash Areas

For human recreation purposes, HRM currently uses a four-tier hierarchy of parks, with the categories being Neighbourhood, Community, District, and Regional. This system provides for the full spectrum of parks and recreation activities, ranging from small parks that serve a very limited catchment area, to large parks that serve multiple communities or even the entire municipality. In relation to recreation for dogs and their owners, off-leash dog areas are generally not appropriate at the Neighbourhood Park scale. This is due to the fact that such parks are typically small, located on local streets, have no parking, are intended to serve a limited population, and do not generally have sufficient area to accommodate an off-leash area with separation from residential uses while also allowing other recreational activities.

Therefore, the criteria of the AO favour off-leash areas being provided within larger parks and in areas where population densities and number of dog licenses are the highest. Continued use of seasonal off-leash areas within sports fields, however, may serve to function at the neighbourhood level in many instances. There may also be some larger neighbourhood parks which exhibit characteristics that make them suitable for limited off-leash use. Sports courts, such as tennis or basketball courts, even when located in a larger park are not appropriate for off-leash use in any season due to high potential for user conflicts and potential issues with a concentration of dogs within small confined spaces.

#### Candidate Site Selection, Evaluation and Design

There is no simple set of location, site or design standards that can dictate which parks are suitable for off-leash use. The unique characteristics of each park within an under served community need to be considered on a case by case basis, as do the park's relationship to adjacent and nearby land uses and the extent to which a community is served by existing off-leash areas. The criteria of the AO therefore provides a comprehensive, but flexible, framework that will enable selection of appropriate sites, while ensuring appropriate design and regulation of each off-leash area in order to reasonably protect the character of each park, public safety, and nearby land uses. In terms of the overall functioning of the off-leash program, new sites would be considered for under served communities, and to help take pressure off the busiest existing off-leash areas. For new dedicated areas, there are styles of fencing other than chain link that can be considered, depending on the site and degree of concern over aesthetics.

#### **Community Engagement for New Off-Leash Areas**

As part of the evaluation process for possible off-leash areas within parks, community engagement will normally be an integral component of the designation process for most new sites. This will allow dog owners, residents, and property owners to voice their concerns and opinions and participate in the process. The need for consultation would not always apply, such as in the case of off-leash areas within sports fields that do not abut residential areas, where there are no nearby homes, where time of day limitations will be applied, or where new parkland is being acquired. Regional Council may, when directing staff to evaluate potential off-leash areas, include specific community engagement measures in its motion.

#### **Next Steps - Service Analysis and Changes to Off-Leash Area System**

A statistical analysis undertaken in 2014 identified major service gaps in the off-leash system for the communities of Spryfield/Purcell's Cove, Cole Harbour, and Eastern Passage. This was based on an assessment of population density, dog licensing data, and current provision of off-leash areas. In addition, adjustments to the system are needed in Dartmouth. Once the AO is approved and, if Council so directs, staff will seek community input, determine land availability, and provide recommendations for these communities. There are candidate sites in each community that can be considered for new off-leash areas, as follows:

- Spryfield Area- The Province has approached HRM with an offer to place some crown land in the area of Long Lake Provincial Park under HRM control for the purpose of establishing an OLA. This would assist the province in controlling the ongoing problem of dogs being off-leash which is a prohibited activity in provincial parks. This offer presents an excellent opportunity to address both provincial and municipal needs and should be carefully considered. If deemed appropriate, the goal would be to manage that portion of crown land as a municipal park where off-leash activity is permitted.
- Cole Harbour - the former Rehabilitation Centre lands on Bissett Road are the subject of the HRM Cole Harbour Basin Open Space Plan, and it is appropriate to consider an OLA on some portion of the site.
- Eastern Passage – The Eastern Passage Common on Caldwell Road offers an option that can be considered for that community, although other appropriate sites may also exist. This would need to

be considered as part of an overall Eastern Passage Common Master Plan, which had been deferred pending completion of the new school. Alternatively, approximately 1.5 km away there is a largely undeveloped 20+ acre park parcel at the intersection of Caldwell Road and Hines Road, adjacent to the Trans Canada Trail, that may be suitable for use as an OLA given the lack of nearby residential land uses.

- Dartmouth – Shubie Park is a major OLA area with a regional draw that may be operating beyond its capacity. There is also an OLA on the Dartmouth Common; however, it has limited capacity and serves a small area. To overcome these challenges, a dedicated OLA should be provided, and consideration given to providing an additional off-leash area with lake access. There are existing municipal parks in Burnside Business Park that could be appropriate for development of a dedicated off-leash area.

However, comparison to other sites in each community is needed as well as consideration of nearby land uses and analysis of location and site characteristics as outlined in the draft AO.

In addition to the above-noted areas it is likely that there are other gaps in the system, that necessitate dog owners to drive long distances to reach a designated off-leash area. Further analysis is needed to quantify and substantiate gaps in the off-leash system, which will allow development of a more comprehensive off-leash area system. However, not all areas can or should be serviced with an OLA within a given time-frame; therefore, broad community engagement, and prioritization of park service provision is essential. Furthermore, since off-leash service delivery is primarily an urban service, the provision of any new high priority facilities should be focussed on serviced communities within or close to the Urban Service boundary. Finally, as part of the implementation to the AO, staff will consider existing off-leash areas and any changes that may be appropriate to address concerns.

### **Prospect Road Recreation Association**

As noted, Halifax and West Community Council requested a staff report with recommendations to address the Prospect Road Recreation Association's request that all local ball fields under their purview cease operation as off-season dog parks. The seasonal off-leash area that is in the purview of the Prospect Road Recreation Association is the ball diamond at Hatchet Lake Park. HRM has a Community Partnership Agreement with the Association under which it undertakes regular maintenance of several parks within the area. HRM provides \$22,080 to assist with this work under the agreement. In discussion with the Association, it is understood that dog owners may not be regularly cleaning-up after dogs and that there is regular damage to the field to the extent that the Association feels the area should be discontinued as an off-leash area.

As part of the recommendations within this staff report, it is proposed that Regional Council approve the continuation of existing off-leash areas. On the basis of the concerns from the Prospect Road Recreation Association, Regional Council could remove this area from the list of approved off-leash areas, but it is recommended that the site be maintained as an existing off-leash area, pending additional enforcement of By-Law A-700 and enhanced education to determine if they resolve many of the concerns. The AO also outlines a mechanism for future changes, should concerns continue.

### **Future Ongoing Monitoring & Changes to the Off-Leash System**

The off-leash program is not intended to be permanently fixed, rather it must be monitored to ensure that off-leash areas are functioning as intended and to ensure that conflicts such as those with park features, users, or nearby land uses can be appropriately mitigated. Some existing off-leash areas are overused at peak times which causes conflicts with other park users and with nearby land uses. Some off-leash areas suffer from uncollected dog waste which negatively affects all park users and can be particularly problematic on sport fields. Possible outcomes of ongoing monitoring and adjustments could include:

- As population shifts and demographics change, there may be a need to add further off-leash areas and it may be possible to close or downsize others.



- As population growth continues at infill projects in the Regional Centre, it may be appropriate to introduce smaller dedicated off-leash areas that are within walking distance of the largest concentrations of population.
- The addition of a dedicated off-leash area in Dartmouth is anticipated to reduce the extent of off-leash use in Shubie Park which currently can be overused at peak times. This is the first approach that is intended to alleviate existing issues. If there is no change to the situation at Shubie, alterations to that park could be considered.
- Most of the trails in Point Pleasant Park are designated for used for off-leash activity and it may be appropriate to restrict some trails to better balance use of the park.
- As new permanent off-leash areas are established, it may be appropriate to reduce seasonal off-leash use on sport fields in order to address problems that arise relative to uncollected waste and damage to playing surfaces.

### **Current Service Provision**

Maintaining the current level of service (LOS) and program model requires minimal capital and operating resources to develop and maintain off-leash areas. Current operating costs to deliver the existing LOS for the off-leash program are estimated at \$135,000 per year (for 2014). This includes Park Operations at \$55,000 (including labour and equipment for litter collection, maintenance and repair, and dog waste bags), Municipal Compliance at \$40,000 for education and enforcement, and Parks Planning at \$40,000 for programming assessment and review. This basic level of service does not effectively advance the program to meet growing community expectations.

Capital costs to deliver and maintain the existing LOS are estimated at \$20,000 per year based on infrastructure replacement and maintenance such as garbage cans, signage, and dog bag dispensers. A one-time operating cost of \$35,000 (including installation) would be required to add rules signage to all existing OLA's to bring them up to a consistent standard. This would need to be prioritized in the upcoming 2018/19 budget process.

### **Pay per Use Off-Leash Areas**

Some municipalities utilize a pay-per-use system where users of the off-leash area must pay to gain access to the site. This approach is something that may be considered in the future; however, at this time the proposed AO and the existing Parks By-law do not enable this means of service delivery. There is at least one privately owned off-leash area within HRM, and the private sector is better positioned to deliver this service on private lands that are appropriately zoned for such a commercial use.

### **Conclusion**

The adoption of a new AO will provide the clear framework that is needed to enable expansion and adjustment of the off-leash dog area program, as part of broader parks and recreation service delivery. Upon adoption of the AO, staff will undertake the needed analysis and return to Regional Council with detailed recommendations for additional off-leash areas in the communities that have been identified within the report.

### **FINANCIAL IMPLICATIONS**

With additional off-leash areas, operating costs would increase depending on the nature and number of OLA's introduced. For example, the introduction of one new shared-use OLA per year without fencing or added amenities would require minimal capital investment for signage and dog waste bag dispensers for the larger parks. Fenced dedicated off-leash areas would cost at least \$40,000 per acre to construct using chain link fencing. Detailed financial implications associated with new off-leash areas would be outlined in subsequent reports to Council regarding their approval.

## **RISK MANAGEMENT**

There are no significant risks associated with the recommendations in this Report. The risks considered rate low. To reach this conclusion, consideration was given to operational, financial, and strategic risks.

## **COMMUNITY ENGAGEMENT**

No community engagement was required to prepare the proposed AO. The general public, including off-leash area users and non-users were engaged in 2014 via an on-line survey, through the Africville off-leash area decommissioning process, and through the establishment of the Mainland Common off-leash area. Ongoing public consultation is recommended to continue as part of the evaluation of potential new off-leash areas, except where it is anticipated there will be minimal impacts on nearby land uses.

## **ENVIRONMENTAL IMPLICATIONS**

Protection of water resources for potable water supply, wildlife habitat, recreational enjoyment, and aesthetic value is an important objective under the Halifax Regional Plan. Water quality testing is used to identify distinct source groups of microbial contamination for beaches. This testing protocol also has the capability to test for fecal contamination by identifying sources, such as human, waterfowl, or dog waste. Such testing may be a useful tool to better understand the sources of contamination and to implement management measures in specific parks, lakes, and beaches where bacteria levels may be a concern. If future environmental testing identified dogs as a source of water contamination in areas where human and ecological health could be impacted, a variety of mitigation measures and solutions would be considered.

## **ALTERNATIVES**

- Alternative 1: Regional Council may choose to approve the proposed amendments to the Parks By-law and the proposed Administrative Order with amendments. This may necessitate a further staff report, depending on the magnitude of the proposed amendments.
- Alternative 2: Regional Council may choose to maintain the LOS under the 2007 Off-Leash Strategy pilot project and continue the program without adjustments. This is not recommended as the proposed Administrative Order is consistent with Regional Council's original direction.

## **ATTACHMENTS**

Map 1: Existing Off-Leash Areas

- Attachment A: Proposed Administrative Order  
Attachment B: Proposed Amendments to By-law P-600 – Municipal Parks By-law (Proposed Changes)  
Attachment C: Proposed Amendments to By-law P-600 – Municipal Parks By-law (Amending By-law)  
Attachment D: Proposed Amendments to By-law P-600 – Municipal Parks By-law (Incorporating Proposed Changes)  
Attachment E: Sports Field Off-Leash Areas

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Mitch Dickey MCIP LPP, Policy Coordinator, Parks & Recreation, 902.292.3207  
Richard Harvey, Manager, Policy and Planning, 902.476.5822

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# Off Leash Dog Park Distribution & Population Density

**Legend**

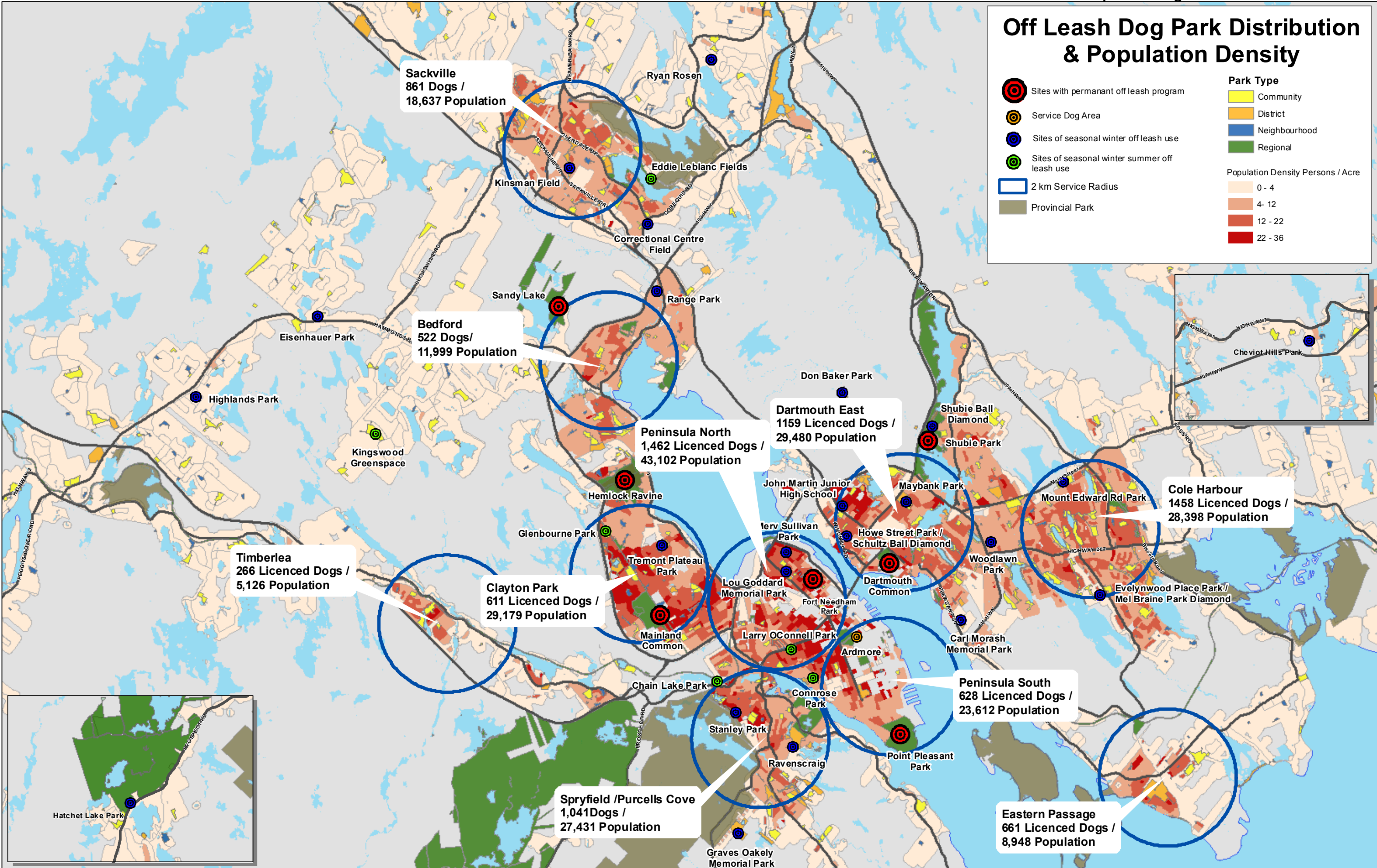
- Sites with permanent off leash program
- Service Dog Area
- Sites of seasonal winter off leash use
- Sites of seasonal winter summer off leash use
- 2 km Service Radius
- Provincial Park

**Park Type**

- Community
- District
- Neighbourhood
- Regional

**Population Density Persons / Acre**

- 0 - 4
- 4 - 12
- 12 - 22
- 22 - 36



**Attachment A**  
**PROPOSED ADMINISTRATIVE ORDER NUMBER 2017-013-OP**  
**RESPECTING OFF-LEASH DOG AREAS WITHIN PARKS**

**WHEREAS** the Regional Council of the Municipality regulates activities in Parks through its By-law P-600, the Municipal Parks By-law, and also requires dogs to be effectively leashed when in Parks except within designated Off-Leash Areas within Parks, through By-law A-700, the Animal By-law;

**AND WHEREAS** the Regional Council of the Municipality recognizes the public health benefits and value of dog walking and exercising as a recreational activity for the citizens of the Municipality;

**AND WHEREAS** the Regional Council of the Municipality wishes to provide citizens with adequate, appropriate and safe areas for dogs to be off-leash within Parks;

**AND WHEREAS** the Regional Council of the Municipality wishes to provide a level of service within Parks that is economically and environmentally sustainable and in balance with the Municipality's broad objectives and priorities.

**BE IT RESOLVED AS AN ADMINISTRATIVE ORDER** of the Regional Council of the Municipality under the authority of the Halifax Regional Municipality Charter, as follows:

**Short Title**

1. This Administrative Order may be cited as the Off-Leash Dog Areas Administrative Order.

**Purposes**

2. The purposes of this Administrative Order are:
  - (a) to set out the process to permit off-leash dogs within designated Parks;
  - (b) to provide direction for the establishment, operation, and management of Off-Leash Dog Areas within Parks;
  - (c) to recognize the health and recreational benefits of off-leash dog activity for the public through the provision of Off-Leash Dog Areas within designated Parks;
  - (d) to establish a level of service for the provision of Off-Leash Dog Areas that adequately meets the needs of a growing and diversifying Municipality;
  - (e) to establish standardized procedures and criteria for receiving and evaluating Off-Leash Dog Area requests to guide consistent, fair, and rational decision-making;
  - (f) to support sustainable investment and delivery of accessible recreation programming by providing off-leash service opportunities in strategic locations within the Parks;

(g) to minimize the conflicts between potential park user and neighbouring land-uses through the careful siting, design and development of Off-Leash Dog Areas;

(h) to protect natural and cultural values of parks while providing opportunities for Off-Leash Dog Areas in appropriate designated areas in parks.

### **Interpretation**

3. In this Administrative Order,

(a) “animal” means an animal as defined by the Animal By-law;

(b) “dog” means a dog, male or female, or an animal that is the result of the breeding of a dog and another animal;

(c) “Director” means the Director responsible for Parks and Recreation, or their designate;

(d) “leash” means a leash as defined by the Animal By-law;

(e) “Park” means any land owned, leased, or controlled by the Municipality, designated or used as parkland or as a trail, including gardens, playgrounds, sports fields and beach areas;

(f) “Municipality” means the Halifax Regional Municipality;

(g) “off-leash” means instances where, pursuant to this Administrative Order, a dog is not required to be on a leash while within a Park;

(h) “Off-Leash Dog Area” means a designated area of a Park pursuant to this Administrative Order where dogs are permitted to be off-leash; and

(i) “regulation” means activities that are permitted, prohibited or restricted.

### **Application**

4. This Administrative Order shall apply to Parks where an Off-Leash Dog Area is permitted or proposed.

### **Designation**

5. All or a portion of a Park may be designated as an Off-Leash Dog Area.

6. (1) Regulations related to the use of any Off-Leash Dog Area, including time-of-day and time-of-year use, may be included as part of an Off-Leash Dog Area designation and shall be posted by a sign or other device erected in accordance with the Municipal Parks By-law.

(2) The regulations stipulated by sign or other device may also be posted on HRM’s website.

## **Designation Process**

7. The process to consider the establishment of an Off-Leash Dog Area shall be initiated in one of the following ways:

(a) by a motion of Regional Council, which may include directions for public consultation, to consider the establishment of an Off-Leash Dog Area within a specific park or community; or

(b) by the Director, where in the opinion of the Director, the potential impact of a proposed Off-Leash Dog Area upon a Park and surrounding land uses is minimal, and public consultation is unnecessary.

8. Once initiated, proposals to consider the establishment of an Off-Leash Dog Area shall be referred to staff for consideration and evaluation.

9. Staff shall review potential Off-Leash Dog Areas against the criteria set out in Section 14.

10. Staff may undertake community consultation to gather public input on the suitability of establishing an Off-Leash Dog Area.

11. Staff shall submit a staff report with recommendation regarding:

(a) the proposed Off-Leash Dog Area to either Regional Council or the Director, whichever initiated the process, and

(b) any proposed regulations to the Director,

along with a summary of comments received during the public consultations.

## **Off-Leash Dog Area Classification**

12. There are two classifications of Off-Leash Dog Areas:

(a) shared Off-Leash Dog Areas, where dogs are permitted off-leash within areas of a Park that are not Dedicated Off-Leash Dog Areas; and

(b) dedicated Off-Leash Dog Areas, where an area of a Park is fully fenced for the purpose of providing a reserved area for off-leash dog use, including areas for service dogs.

## **Evaluation Criteria for Shared Off-leash Dog Areas**

13. The following shall be considered in determining whether any Park is appropriate for the establishment of a shared Off-Leash Dog Area:

(a) the existing Off Leash Dog Area system with respect to:

(i) the relationship and distances of candidate sites to existing designated Off-Leash Dog Areas and service gaps; and

- (ii) extent of conflicts in existing parks where there are existing Off-Leash Dog Areas;
- (b) population distribution and dog licensing and ownership data;
- (c) whether the proposed Off-Leash Dog Area is of sufficient size to accommodate the expected level of usage, with a minimum Park size of 2.5 acres generally being required to accommodate an Off-Leash Dog Area;
- (d) the existing function and classification of the Park;
- (e) the compatibility of an Off-Leash Dog Area with recreational activities and events that occur in the Park;
- (f) whether an Off-Leash Dog Area will negatively impact any other uses of the Park such as:
  - (i) play structures;
  - (ii) wading pools or splash pads;
  - (iii) beaches that are supervised;
  - (iv) sports fields during active seasons;
  - (v) sports courts including tennis courts and basketball courts;
  - (vi) environmentally sensitive features;
  - (vii) cultural features;
  - (viii) monuments and public art;
  - (ix) gardens including community gardens;
  - (x) memorial parks; or
  - (xi) other similar facilities or features.
- (g) whether the use is compatible with the physical and environmental capabilities of the Park and is designed to take into account topography, hydrology, vegetation and property configuration;
- (h) whether the use as an Off-Leash Dog Area would jeopardize public safety;
- (i) the type and proximity of nearby land uses outside of the Park, and whether there are adequate separation distances or mitigation measures available to provide a sufficient visual and acoustic buffer from such uses;
- (j) the availability of sufficient and appropriate parking;
- (k) the intended level of service to be provided, the park infrastructure required for the Off-Leash use, and the design of the Off Leash Dog Area;
- (l) any appropriate site-specific restrictions on use, including hours of operation and seasons of use;

- (m) the opportunities for active use by dog owners, such as the provision of off-leash trails that encourage greater physical activity by dog owners;
- (n) the results of community engagement, if applicable; and
- (o) the financial implications of establishing the Off-Leash Dog Area.

#### **Dedicated Off-leash Dog Area**

14. The following shall be considered in determining whether any Park is appropriate for the establishment of a dedicated Off-Leash Dog Area:

- (a) the criteria in section 13;
- (b) the Park's ability to accommodate regional users; and
- (c) the long-term impact of the dedicated Off-Leash Dog Area on the Park.

#### **Regional Council and Director Approval**

15. (1) If the process was initiated by Regional Council, Regional Council shall consider staff's recommendation respecting the proposed Off-Leash Dog Area and may approve, modify or refuse the designation of the proposed Off-Leash Dog Area.

(2) If the process was initiated by the Director, the Director shall consider staff's recommendation respecting the proposed Off-Leash Dog Area and may approve, modify or refuse the designation of the proposed Off-Leash Dog Area.

(3) If a proposed Off-Leash Dog Area is approved, the Director may:

- (a) consider staff's recommendation respecting any proposed regulations; and
- (b) in accordance with the Municipal Parks By-Law, cause to be erected a sign or other device specifying in the Off-Leash Dog Area activities that are permitted, prohibited or restricted.

#### **Closures and Modifications to Off-Leash Dog Areas and Regulations**

16. If the use of a designated Off-Leash Dog Area is causing or has the potential to cause conflict, nuisance, or safety issues, the Director, with or without the advice of staff or public consultation, may modify the Off-Leash Dog Area, close the Off-Leash Dog Area, or change the regulations related to the Off-Leash Dog Area.

17. (1) If the Director has modified or closed an Off-Leash Dog Area, Regional Council may request a report advising of the reason, which shall indicate the conflict, nuisance or safety issue identified.

(2) On receiving the report from the Director, Regional Council may consider the matter and may modify or re-open the Off-Leash Dog Area.



(3) In accordance with the Municipal Parks By-Law, if Regional Council has modified or re-opened an Off-Leash Dog Area, the Director may cause to be erected a sign or other device specifying the regulations relating to the Off-Leash Dog Area

18. Regional Council, with or without the advice of the Director or staff or community consultation, may, at any time, modify or close an Off-Leash Dog Area.

**Transition and Repeal**

19. The Off-Leash Dog Areas existing in the Municipality immediately prior to the coming into force of this Administrative Order continue until modified or closed pursuant to this Administrative Order.

20. The Off-leash Parks Strategy adopted by Regional Council on June 26, 2007 is repealed.

Done and passed in Council this        day of                    A.D. 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

**Attachment B**  
**(Showing Proposed Changes to By-law P-600)**

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

2. In this By-law,
  - (g a) “Appeals Committee” means the Appeals Committee established pursuant to Halifax Regional Municipality By-law A-100, the Appeals Committee By-law;
  - (ab) “Director” means the Director ~~of Works and Natural Services or designed assign~~ responsible for Parks and Recreation, or their designate;
  - (c) “Park” means any land, owned, leased, or controlled by the ~~Halifax Regional Municipality~~ Region, designated or used as parkland or as a trail, including gardens, playgrounds, sports fields and beach areas;
  - (bca) “Region” means the Halifax Regional Municipality;
  - (d) “Trail” includes walkways within a park or which abut 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; and
  - (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 foundation 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 anything** 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 or reunion in **Seaview Park Africville**, subject to obtaining the approval of the Director as to the date therefor, which approval shall not be unreasonably withheld.

#### **Special Events**

9. Community festivals, ceremonies, and celebrations which have traditionally utilized Municipal Parklands on an annual basis for more than five consecutive years may continue to be held at the same location, subject to the approval of the Director, which approval shall not be unreasonably withheld.

#### **Vehicles in Parks**

10. (1) No person shall operate any vehicle within a park except wheelchairs, **bicycles 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. Repealed by HRM By-law C-500

#### **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.

**(1A) If Council approved specific activities that are permitted, prohibited or restricted in an Off-Leash Dog Area in accordance with Off-Leash Dog Areas Administrative Order, the Director shall cause**

to be erected a sign or other device that specifies in that Off-Leash Dog Area those activities that 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 10:00 p.m. till 5:00 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, sports 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

16A. ~~(2)~~ <sup>1</sup> Any person who has been refused a permit or whose permit has been revoked pursuant to the exercise of any discretion of the Director may appeal to the Appeals Committee.

~~(3)~~ <sup>2</sup> 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 of the appeal.

~~(4)~~ <sup>3</sup> The Appeals Committee 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 immediately 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 the By-law is guilty of an offence and is liable on summary conviction to a penalty of not less ~~that~~ <sup>than</sup> \$100.00 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

**Attachment C  
(Amending By-law)**

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW P-601  
RESPECTING MUNICIPAL PARKS**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality that By-law P-600, the *Municipal Parks By-law*, is amended as follows

1. The title of the By-law is amended by:
  - (a) striking out the word “Regioonal” after the word “Halifax” and before the word “Municipality”;  
and
  - (b) adding the word “Regional” after the word “Halifax” and before the word “Municipality”.
2. Section 2 is amended by:
  - (a) striking out the header “Definitions” before the start of the section and after section 1;
  - (b) adding the header “Interpretation” before the start of the section and after section 1;
  - (c) re-lettering clause b as clause ca of section 2;
  - (d) re-lettering clause a as clause b of section 2;
  - (e) re-lettering clause g as clause a of section 2;
  - (f) striking out the words “of Works and Natural Services or designed assisgn” after the words “the Director” and before the end of the clause in the newly re-lettered clause b;
  - (g) adding the words “responsible for Parks and Recreation, or their designate” after the words “the Director” and before the end of the clause in the newly re-lettered clause b;
  - (h) striking out the words “Halifax Regional Municipality” after the words “by the” and before the comma and word “, designated” in clause c of section 2;
  - (i) adding the word “Region” after the words “by the” and before the comma and word “, designated” in clause c of section 2;
  - (j) adding the word “and” after the semi-colon at the end of clause e.
3. Subsection 2 of section 8 is amended by:
  - (a) striking out the words “any thing” after the word “park” and before the word “for”; and
  - (b) adding the word “anything” after the word “park” and before the word “for”.

4. Subsection 3 of section 8 is amended by:

(a) striking out the words "Seaview Park" after the words "reunion in" and before the comma and word "subject"; and

(b) adding the word "Africville" after the words "reunion in" and before the comma and word "subject".

5. Subsection 1 of section 10 is amended by:

(a) striking out the word "bicycles" after the word and comma "wheelchairs," and before the comma and word "Municipal"; and

(b) adding the word "bicycles" after the word and comma "wheelchairs," and before the comma and word "Municipal".

6. Subsection 1A of 12 is added after subsection 1 and before subsection 2 of section 12, as follows:

(1A) If Council approved specific activities that are permitted, prohibited or restricted in an Off-Leash Dog Area in accordance with *Off-Leash Dog Areas Administrative Order*, the Director shall cause to be erected a sign or other device that specifies in that Off-Leash Dog Area those activities that are permitted, prohibited or restricted.

7. Renumbering subsection 1 of section 16 as section 16.

8. Section 16A is amended by:

(a) renumbering subsection 2 as subsection 1;

(b) renumbering subsection 3 as subsection 2; and

(c) renumbering subsection 4 as subsection 3.

9. Subsection 1 of section 18 is amended by:

(a) striking out the word "that" after the word "less" and before the symbol and number "\$100.00"; and

(b) adding the word "than" after the word "less" and before the symbol and number "\$100.00".

Done and passed by Council this        day of        , 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

**Attachment D  
(Incorporating Proposed Changes)**

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW P-600  
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”.

**Interpretation**

2. In this By-law,

(a) “Appeals Committee” means the Appeals Committee established pursuant to Halifax Regional Municipality By-law A-100, the Appeals Committee By-law;

(b) “Director” means the Director responsible for Parks and Recreation, or their designate;

(c) “Park” means any land, owned, leased, or controlled by the Region, designated or used as parkland or as a trail, including gardens, playgrounds, sports fields and beach areas;

(ca) “Region” means the Halifax Regional Municipality;

(d) “Trail” includes walkways within a park or which abut 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; and

(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 foundation 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 anything 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 or reunion in Africville, subject to obtaining the approval of the Director as to the date therefor, which approval shall not be unreasonably withheld.

### **Special Events**

9. Community festivals, ceremonies, and celebrations which have traditionally utilized Municipal Parklands on an annual basis for more than five consecutive years may continue to be held at the same location, subject to the approval of the Director, which approval shall not be unreasonably withheld.

### **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. Repealed by HRM By-law C-500

### **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.

(1A) If Council approved specific activities that are permitted, prohibited or restricted in an Off-Leash Dog Area in accordance with *Off-Leash Dog Areas Administrative Order*, the Director shall cause to be erected a sign or other device that specifies in that Off-Leash Dog Area those activities that 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 10:00 p.m. till 5:00 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, sports fields, and festivals.

### **Revocation of Permits**

16. 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**

16A. (1) Any person who has been refused a permit or whose permit has been revoked pursuant to the exercise of any discretion of the Director may appeal to the Appeals Committee.

(2) 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 of the appeal.

(3) The Appeals Committee 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 the By-law is guilty of an offence and is liable on summary conviction to a penalty of not less than \$100.00 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

## **Attachment E - Sports Field Off Leash Areas**

### **Summer use (June 1 - November 1)**

#### **Halifax**

- Chain Lake, Crown Drive: 5:00 a.m. – 10:00 p.m.
- Glenbourne #2, Park Drive: 5:00 a.m. – 10:00 p.m.
- Conrose, Conrose Avenue: 5:30 a.m. – 9:00 a.m.
- Larry O'Connell, Chebucto Road: 5:30 a.m. – 8:30 a.m.

#### **Hammonds Plains**

- Green space between George Samuel and Nousha Court, 414 Kingswood Drive: 5:00 a.m. – 10:00 p.m.

#### **Sackville**

- Eddie LeBlanc #3, First Lake Drive: 5:00 a.m. – 10:00 p.m.

### **Winter use (November 1 - May 1)**

#### **Halifax**

- Chain Lake Sport Field, Crown Drive: 5:00 a.m. – 10:00 p.m.
- Conrose Ball Diamond, Conrose Avenue: 5:00 a.m. – 10:00 p.m.
- Glenbourne Sport Field, Parkland Drive: 5:00 a.m. – 10:00 p.m.
- Graves Oaklry #1 and #2 Sport Fields, Leiblin Drive: 5:00 a.m. – 10:00 p.m.
- Larry O'Connell Ball Diamond, 6691 Fourth Street: 5:00 a.m. – 10:00 p.m.
- Lou Goddard Ball Diamond, Highland Avenue: 5:00 a.m. – 10:00 p.m.
- Merv Sullivan Sport Field, 3770 Kencrest Avenue: 5:00 a.m. – 10:00 p.m.
- Ravenscraig, 15 Ravenscraig Drive: 5:00 a.m. – 10:00 p.m.
- Tremont Plateau Park Sport Field, Tremont Drive: 5:00 a.m. – 10:00 p.m.
- Westridge Ball Diamond, Westridge Drive: 5:00 a.m. – 10:00 p.m.
- Hatchet Lake Ball Diamond, 2101 Prospect Road: 5:00 a.m. – 10:00 p.m.
- Stanley Park Sport Field, Tamarack Drive: 5:00 a.m. – 10:00 p.m.

#### **Dartmouth/ Cole Harbour/ Porters Lake**

- Don Bayer Sport Field, Troop Avenue: 5:00 a.m. – 10:00 p.m.
- Conrad Ball Diamond, 155 Mount Edward Road: 5:00 a.m. – 10:00 p.m.
- John Martin Ball Diamond, 7 Brule Street: 5:00 a.m. – 10:00 p.m.
- Mic Mac #1 and #2 Sport Fields, MicMac Boulevard: 5:00 a.m. – 10:00 p.m.
- Penhorn #1, #2, and #3 Ball Diamonds, 79 Lawson Avenue: 5:00 a.m. – 10:00 p.m.
- Schultz Ball Diamond, 35 Howe Street: 5:00 a.m. – 10:00 p.m.
- Shubie Ball Diamond, 30 John Brenton Drive: 5:00 a.m. – 10:00 p.m.
- Woodside #1 and #2 Ball Diamonds, Mount Hope Avenue: 5:00 a.m. – 10:00 p.m.
- Mel Braine Park Diamond, Evelyn Wood Place: 5:00 a.m. – 10:00 p.m.
- Cheviot Hills Ball Diamond, Cheviot Hills Road: 5:00 a.m. – 10:00 p.m.

#### **Bedford/ Hammonds Plains/ Sackville/ Fall River**

- Bud Bremner Soccer Field, 1800 Bedford Highway: 5:00 a.m. – 10:00 p.m.
- Eisenhower Field, 2043 Hammonds Plains Road: 5:00 a.m. – 10:00 p.m.
- Highland Park, Deepwood Drive: 5:00 a.m. – 10:00 p.m.

- Correctional Ball Diamond, Cobequid Road: 5:00 a.m. – 10:00 p.m.
- Eddie LeBlanc #1 and #2 Ball Diamonds, First Lake Drive: 5:00 a.m. – 10:00 p.m.
- Superstore Ball Diamond, Old Beaver Bank Road: 5:00 a.m. – 10:00 p.m.
- Ryan Rosen Sport Field, Foster Avenue: 5:00 a.m. – 10:00 p.m.