

# HALIFAX

P.O. Box 1749  
Halifax, Nova Scotia  
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**Item No. 14.1.9**  
**Halifax Regional Council**  
**June 19, 2018**

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

Original Signed by 

**SUBMITTED BY:** Jane Fraser, Acting Chief Administrative Officer

**DATE:** June 14, 2018

**SUBJECT:** Amendments to By-law P-600 Respecting Municipal Parks

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## ORIGIN

- September 19, 2017 Motion put and passed by Halifax Regional Council:  
  
That Halifax Regional Council direct staff to amend to By-law P-600 Respecting Municipal Parks to add a definition for bicycles as defined in the Nova Scotia Motor Vehicle Act R.S.N.S 1989.
- April 24, 2018 Motion put and passed by Halifax Regional Council:  
  
THAT Halifax Regional Council direct staff to prepare a report and recommendations with respect to a municipal framework in light of the upcoming legalization of cannabis including, but not limited to, creating new or updating existing bylaws and administrative orders related to:
  - Commercial and personal cultivation;
  - Consumption in public spaces;
  - Authority and effective tools for enforcing federal and provincial rules for retailing;
  - Advertising, sponsorship, and signage; and
  - Other areas requiring regulation
- 17/18 – 18/19 Parks and Recreation Multi-Year Budget and Business Plan:  
  
Update the existing Parks By-law to reflect Municipal Best Practice in parks management.
- By-law Review Project

## LEGISLATIVE AUTHORITY

*Halifax Regional Municipality Charter, R.S.N.S 2008, c. 39, clause 188(1)(c):*

(1) The Council may take by-laws, for municipal purposes, respecting  
(c) persons, activities and things in, on or near a public place or place that is open to the public  
By-law P-600, Respecting Municipal Parks

**Recommendation on next page**

## **RECOMMENDATION**

It is recommended that Halifax Regional Council:

Adopt By-law P-602, the purpose of which is to amend By-law P-600, Respecting Municipal Parks, as set out in Attachment 2 of this Report.

## **BACKGROUND**

The Parks By-law establishes rules and regulations for the public use of, and respecting of, HRM Parks. Legal Services are in the process of reviewing all by-laws of general application as part of the By-law Review Project. This project involves comprehensive updating of the status of the by-laws to ensure that those requiring action are identified. The Parks By-law has been identified as one of those requiring action and will require both functional and housekeeping changes.

The 2017/18 – 18/19 Parks and Recreation Multi-Year Budget and Business Plan Deliverable (PR 4.07) recognizes the need for these changes and establishes the need to update the existing by-law to reflect municipal best practice in parks management.

## **DISCUSSION**

On September 19, 2017 Halifax Regional Council approved a staff recommendation to amend By-law P-600, Respecting Municipal Parks to add a definition for bicycles as defined in the *Nova Scotia Motor Vehicle Act* R.S.N.S 1989. It was noted at that time that the definition would be added to P-600 when the larger P-600 By-law review was completed as part of the Parks and Recreation Multi-Year Business Plan objective.

On January 16, 2018 Halifax Regional Council approved a staff recommendation to adopt Administrative Order 2017-013-OP, Off-Leash Dog Areas. It was also recommended, and approved, to adopt By-law P-601, Amending By-law P-600 Respecting Municipal Parks. These amendments allow the Director of Parks and Recreation to approve the posting of signs to display any special rules by Council as part of the Off-leash Area. Also, at that time, housekeeping amendments were implemented to correct typographical errors from the initial adoption of P-600. Only amendments that were required for the implementation of Administrative Order 2017-013-OP and housekeeping changes were adopted in P-601. Therefore, the definition of bicycle as defined in the *Nova Scotia Motor Vehicle Act* will be amended by By-law P-602.

Over the past couple of years, there have been issues reported through 311 that have identified the need to update the Parks By-law. Some examples of these are as follows:

- Motorized Bicycles
- Off-leash Areas
- Encroachments
- Smoking and Cannabis in Parks
- Unmanned Air Vehicle (UAV)

### **Motorized Bicycles**

The adoption of the definition for bicycles as per the *Nova Scotia Motor Vehicle Act* will clearly define what classifies a motorized bicycle allowing electric assist bicycles in parks.

### **Off-Leash Areas**

Administrative Order 2017-013-OP, Off-Leash Dog Areas, now provides a clear framework to enable expansion and or adjustment of the off-leash dog area program.

## Park Encroachments

There have been a number of park encroachments reported over the last year, particularly regarding abutting private properties with soft construction (trails, steps, docks, landscaping) on parkland. Parks has developed a process by which upon receiving a complaint, Parks' staff and/or Parks' supervisors will view the site and ascertain if an encroachment is present. If an encroachment is evident, a letter is issued to the resident from the Director's Office indicating how the park is to be reinstated and by when. If the encroachment is not removed or reinstated by the specified date, the file is then turned over to Municipal Compliance for further investigation. The letter does not affect the Municipality's right to commence a legal action for damages or to enforce legal rights pursuant to the Parks By-law, most notably section 3.1(a).

### 3. Protection of Park

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;

Unless addressed by way of section 3 above, encroachments by way of construction is a violation of the Land Use By-law which indicates a person may be prosecuted for building over a property line.

Additional encroachment information will be presented to Mayor and Council in the upcoming Encroachment Policy and Enforcement report by Legal Services.

## Smoking and Cannabis

### Federal Government

On November 27, 2017, the House of Commons passed Bill C-45, an Act respecting cannabis and to amend the *Controlled Drugs and Substances Act*, the *Criminal Code* and other Acts (the *Cannabis Act*). The *Cannabis Act* will provide legal access to cannabis and control and regulate its production, distribution and sale in Canada.

### Province of Nova Scotia

The Province of Nova Scotia drafted legislation to further regulate cannabis and on April 18, 2018, Bill 108, An Act to Provide for the Regulation and Sale of Cannabis (the *Cannabis Control Act*) received Royal Assent. The *Cannabis Control Act*, amongst other things, amends the *Smoke Free Places Act* to add cannabis to the definition of "smoke" and, in addition to the current prohibitions already in the *Smoke Free Places Act*, prohibits smoking in the following places:

- on or within 20 metres of playgrounds located in an outdoor public space,
- on or within 20 metres of a publicly owned sport and recreation event or venue, located in an outdoor public space,
- on and within 9 metres of public trails, and
- in provincial parks and on provincial beaches, except for within the boundaries of a rented campsite

Portions of the *Cannabis Control Act*, including the amendments to the *Smoke Free Places Act*, are not yet in force as the Province is waiting for the *Cannabis Act* (Canada) to be proclaimed. As of the date of this report, the *Cannabis Act* (Canada) passed in the Senate of Canada with a number of amendments and has been returned to the House of Commons for consideration. A date for proclamation is anticipated in late summer of 2018.

In consultation with HRM's enforcement service providers (Police and Municipal Compliance), the Provincial approach, whereby smoking is not allowed within specified distances of certain public outdoor spaces, will be extremely difficult to communicate and enforce.

### Halifax Regional Municipality

Subsection 12(1) of the Parks By-law states that:

*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.*

Under this section of the By-law, all parks are being identified through signage as non-smoking spaces. It is recommended that this be added to the Parks By-law. This is consistent with parks across the country which either prohibit smoking (tobacco) within a park or a specified distance from a park entrance or structure such as playgrounds or areas frequented by children. It is suggested that this amendment not affect the rights of indigenous people respecting traditional spiritual or cultural ceremonies.

In terms of cannabis use, some municipalities have yet to determine how and where public consumption will be permitted. With respect to parks and recreation spaces, other municipalities have followed their perspective Municipal and or Provincial smoking legislation and prohibited use. Municipalities such as Winnipeg, Saskatoon, Ottawa, Calgary, and Edmonton have banned the use of cannabis in municipal parks citing similarities not only to tobacco smoking by-laws but alcohol prohibitions as well. Closer to home, the Town of Bridgewater and the Region of Queens Municipality have, or will, all be imposing similar restrictions and legislation.

It is recommended that HRM take a similar approach to smoking restrictions as other municipalities and provincial parks and prohibit smoking and vaping, including cannabis, throughout all HRM parks and trails. This approach will ensure a consistent and easily understood regulation throughout the municipality that will be easier to enforce and will reduce the impacts from nuisance smoke, ensure the protection of health, and reduce the risk of fire.

### **Unmanned Air Vehicle (UAV)**

Unmanned air vehicles, commonly known as drones, include all power-driven aircraft designed to fly without a human operator on board. This section of the aviation industry has grown over the past few years and has given rise to a number of reported incidents. A number of inexperienced users have been operating UAV's without a clear understanding of the potential safety risks associated with the activity. There have been incidents across the country of UAV's flying into controlled airspace and near aerodromes (airport, seaplane base, or areas where aircraft take off or land including helipads) causing air traffic control issues and concerns.

There are also concerns regarding the operation of UAV's over ground and over gatherings of people as operator error has caused damage to property and near misses to personal injury.

In an effort to address the above noted concerns, Transport Canada has implemented a set of rules for flying UAV's and model aircraft for both recreational and commercial purposes. The rules present a balanced and consistent approach, while supporting innovation and safe recreational use.

It is recommended that UAV operation in HRM parks be considered through application to HRM provided that all Transport Canada requirements are/will be met, including time and date, to ensure there are no conflicts with park operations. This is a consistent approach with Nova Scotia Provincial Parks.

### **Housekeeping Amendments**

In addition to the changes already discussed, various definitions will also be added and or updated by P-602:

Bicycle

A definition of bicycle will be added as defined in the *Nova Scotia Motor Vehicle Act*,

Vehicle

A definition of vehicle will be added as defined in the *Nova Scotia Motor Vehicle Act*,

Personal Transporter

A definition of personal transporter will be added as defined in the *Nova Scotia Motor Vehicle Act*,

**FINANCIAL IMPLICATIONS**

There are no financial implications at this time, as it is currently assumed there will be no material increase in enforcement activities resulting from the recommended By-law changes. Should this assumption prove incorrect, budget increases may be sought through future business plan submissions to Council.

**RISK CONSIDERATION**

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 or requested in preparation of the attached Parks By-law amendments. Amendments are recommended by way of best practices and parks user complaints and 311 service calls.

Education regarding the proposed By-law changes will be provided through HRM's various communication channels, including but not limited to website, media, social media, and park signage.

**ENVIRONMENTAL IMPLICATIONS**

None

**ALTERNATIVES**

1. Regional Council may choose to not adopt By-law P-602, but continue with By-law P-600, Respecting Municipal Parks.
2. Regional Council may choose to only adopt portions of the proposed By-law P-602. Should Council wish to proceed with this alternative, staff would return to Council with supplementary report and an amended By-law.

**ATTACHMENTS**

Attachment 1: Showing Proposed Amendments to By-law P-600 Respecting Municipal Parks

Attachment 2: Amending By-law P-602 Respecting Municipal Parks.

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: Ray Walsh, Manager, Parks 902.490.6591

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**Attachment 1  
(Showing 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;

(aa) “bicycle” means

(i) a vehicle propelled by human power upon which or in which a person may ride and that has two tandem wheels either of which is 350 millimetres or more in diameter or that has four wheels any two of which are 350 millimetres or more in diameter but does not include a wheelchair, or

(ii) a vehicle propelled by human and mechanical power that is fitted with pedals that are operable at all times to propel the bicycle, that has the same wheel requirements as set out in subclause (i) and that has an attached motor driven by electricity not producing more than 500 watts or with a piston displacement of not more than 50 cubic centimetres and is incapable of providing further assistance when the vehicle attains a speed of thirty kilometres per hour on level ground;

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

(ba) “model aircraft” means an aircraft, the total weight of which does not exceed 35 kg (77.2 pounds), that is mechanically driven or launched into flight for recreational purposes and that is not designed to carry persons or other living creatures;

(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) “personal transporter” means a self-balancing electric vehicle with two side-by-side wheels and designed for the personal transportation of a single person and, for greater certainty, includes a Segway;

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

(cab) “smoke” means smoke, inhale or exhale smoke from, burn, carry, hold or otherwise have control over a lit or heated cigarette, cigar, pipe, waterpipe, electronic cigarette or other device that burns or heats tobacco, cannabis or another substance that is intended to be smoked or inhaled;

(d) “Trail” includes walkways within a park or which abut a park and provide a means of access to a park;

(da) “unmanned air vehicle” means a power-driven aircraft other than a model aircraft, that is designed to fly without a human operator on board;

(e) “Utility” means any corporation that provides water, power, telecommunication services, natural gas or other gas intended for use as a fuel; **and**

(ea) “vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting a motorized wheelchair and devices moved by human power or used exclusively upon stationary rails or tracks; 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.

### **Smoking**

7A (1) No person shall smoke within the boundaries of a park.

(2) Subsection (1) shall not restrict the rights of Indigenous people respecting traditional Indigenous spiritual or cultural practices or ceremonies.

### **Penalty**

7B. Every person who violates the provisions of section 7A shall be liable to a penalty of not less than Twenty Five Dollars (\$25.00) and not exceeding Two Thousand Dollars (\$2,000.00) for each offence, and in default of payment thereof to imprisonment for a period not exceeding thirty days.

### **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.

### **Unmanned Air Vehicles and Model Aircraft**

8A (1) No person shall operate an unmanned air vehicle or model aircraft from within the boundaries of a park except in the circumstances set out in subsection (2).

(2) A person may apply to operate an unmanned air vehicle or model aircraft from within the boundaries of a park on a form as prescribed by the Director.

### **Special Events**

9. Community festivals, ceremonies, and celebrations which have traditionally utilized **Municipal Parklands a Park** 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 **or personal transporter** 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~~ deemed 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.

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Mayor

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Municipal Clerk

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

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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

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Amendment # 2 (C-500)

Amending Part 11

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

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Amendment # 3 (A-500)

Amending Section 2 and 16

Notice of Motion:	March 20, 2012
First Reading:	March 27, 2012
Notice of Second Reading Publication:	March 31, 2012
Second Reading:	April 17, 2012
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	April 21, 2012

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Amendment # 4 (P-601)

Notice of Motion:	December 5, 2017
First Reading:	December 12, 2017
Notice of Second Reading Publication:	December 23, 2017
Second Reading:	January 16, 2018
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	February 3, 2018

**Attachment 2  
(Amending By-law)**

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW P-602  
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. Section 2 is amended by:

(a) adding clause aa after clause a and before clause b as follows;

(aa) “bicycle” means

(i) a vehicle propelled by human power upon which or in which a person may ride and that has two tandem wheels either of which is 350 millimetres or more in diameter or that has four wheels any two of which are 350 millimetres or more in diameter but does not include a wheelchair, or

(ii) a vehicle propelled by human and mechanical power that is fitted with pedals that are operable at all times to propel the bicycle, that has the same wheel requirements as set out in subclause (i) and that has an attached motor driven by electricity not producing more than 500 watts or with a piston displacement of not more than 50 cubic centimetres and is incapable of providing further assistance when the vehicle attains a speed of thirty kilometres per hour on level ground;

(b) adding clause ba immediately after clause b and before clause c as follows:

(ba) “model aircraft” means an aircraft, the total weight of which does not exceed 35 kg (77.2 pounds), that is mechanically driven or launched into flight for recreational purposes and that is not designed to carry persons or other living creatures;

(c) re-lettering clause ca as clause caa of section 2;

(d) adding a new clause ca of section 2 as follows;

(ca) “personal transporter” means a self-balancing electric vehicle with two side-by-side wheels and designed for the personal transportation of a single person and, for greater certainty, includes a Segway;

(e) adding clause cab immediately after the newly re-letter clause caa and before clause d as follows;

(cab) “smoke” means smoke, inhale or exhale smoke from, burn, carry, hold or otherwise have control over a lit or heated cigarette, cigar, pipe, waterpipe, electronic cigarette or other device that burns or heats tobacco, cannabis or another substance that is intended to be smoked or inhaled;

(f) adding clause da immediately after clause d and before clause e as follows:

(da) “unmanned air vehicle” means a power-driven aircraft other than a model aircraft, that is designed to fly without a human operator on board;

(f) striking out the word “and” at the end of clause e; and

- (g) adding clause ea immediately after clause e as follows:  
(ea) “vehicle” means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting a motorized wheelchair and devices moved by human power or used exclusively upon stationary rails or tracks; and

2. Sections 7A and 7B are added immediately after section 7 and before section 8:

**Smoking**

7A (1) No person shall smoke within the boundaries of a park.

(2) Subsection (1) shall not restrict the rights of Indigenous people respecting traditional Indigenous spiritual or cultural practices or ceremonies.

**Penalty**

7B. Every person who violates the provisions of section 7A shall be liable to a penalty of not less than Twenty Five Dollars (\$25.00) and not exceeding Two Thousand Dollars (\$2,000.00) for each offence, and in default of payment thereof to imprisonment for a period not exceeding thirty days.

3. Section 8A is added immediately after section 8 and before section 9:

**Unmanned Air Vehicles and Model Aircraft**

8A (1) No person shall operate an unmanned air vehicle or model aircraft from within the boundaries of a park except in the circumstances set out in subsection (2).

(2) A person may apply to operate an unmanned air vehicle or model aircraft from within the boundaries of a park on a form as prescribed by the Director.

4. Section 9 is amended by:

- (a) striking out the words “Municipal Parklands” after the word “utilized” and before the words “on an annual basis”; and  
(b) adding the words “a Park” after the word “utilized” and before the words “on an annual basis”.

5. Subsection 1 of section 10 is amended by adding the words “or personal transporter” immediately after the word “vehicle” and before the word “within”.

6. Subsection 3 of section 12 is amended by:

- (a) striking out the words “as he or she” after the word “sign” and before the word “deemed”;  
(b) striking out the letter “s” at the end of the word “deem”; and  
(c) adding the letters “ed” at the end of the word “deem”.

Done and passed by Council this        day of        , 2018.

\_\_\_\_\_  
Mayor

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