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**Bylaw: The Public Parks Bylaw**

Bylaw No: 001

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New/Revised: June 19, 1998/October 1, 2004

Responsibility: MVA

Authority: Meewasin

Effective: November 12, 2004

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THE SASKATCHEWAN GAZETTE, NOVEMBER 12, 2004

A BYLAW RESPECTING PUBLIC PARKS UNDER THE JURISDICTION OF THE MEEWASIN VALLEY AUTHORITY.

*Short Title*

1. This bylaw may be cited as the "Public Parks Bylaw".

**INTERPRETATION**

2. In the bylaw:

*"Authority"*

- a) "Authority" means the Meewasin Valley Authority;

*"Chief Enforcement Officer"*

- b) "Chief Enforcement Officer" means the Chief Enforcement Officer of the Rural Municipality of Corman Park No. 344 Police Department;

*"City"*

- c) "City" means the City of Saskatoon;

*"Conservation Officer"*

- d) "Conservation Officer" means a person appointed by the Authority whose duties include the administration of bylaws enacted by the Authority for the protection of public parks and their safe use by members of the public;

*"Director"*

- e) "Director" means the Chief Executive Officer of the Authority;

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*“Firearm”*

- f) “Firearm” means any device from which any shot, bullet or other missile can be discharged and, without limiting the generality of the foregoing, includes a rifle, shotgun, pellet gun, air gun, pistol, revolver, spring gun, longbow or crossbow;

*“Participating Party”*

- g) “Participating Party” means the Government of Saskatchewan, the University of Saskatchewan or the City.

*“Police Officer”*

- h) “Police Officer” means a member of the Police Department of the Rural Municipality of Corman Park, a member of the Police Department of the City of Saskatoon or a member of the Royal Canadian Mounted Police.

*“Program Leader”*

- i) “Program Leader” means a person designated by the Director to conduct environmental education programs in the public parks;

*“Public Park”*

- j) “Public Park” means those lands owned by the Authority or by a participating party within the jurisdiction of the Authority to which this bylaw applies pursuant to Sections 4, 5, and 6.

*“Vehicle”*

- k) “Vehicle” means a vehicle as defined by the Vehicles Act of Saskatchewan.

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**STATEMENT OF PURPOSE**

3. To conserve and protect the flora, fauna and natural habitat of public parks for educational and recreational purposes.

**APPLICATION**

4. This bylaw shall, upon coming into force, apply to:
  - a) Beaver Creek Conservation Area
  - b) Cranberry Flats Conservation Area
  - c) Fred Heal Canoe Launch
  - d) Maple Grove Conservation Area
  - e) Paradise Beach Conservation Site
  - f) Poplar Bluffs Conservation Area
  - g) Wanuskewin Heritage Park
  - h) Saskatoon Natural Grasslands

As those lands are described in Schedule A of this bylaw.

5.
  - a) Pursuant to the procedure stipulated in subsection 5 (b), the application of this bylaw may be extended to other land owned by the Authority, or by a participating party by designating that land to be a public park subject to the provisions of this bylaw;
  - b) where the land to be designated a public park subject to the provisions of this bylaw is owned by:
    - i) the Authority, the Authority shall pass a resolution designating the land as a public park subject to the provisions of this bylaw;
    - ii) a participating party, the participating party shall send to the Authority a written request that the land be designated a public park subject to the provisions of this bylaw and the Authority may pass a resolution designating that land to be a public park subject to the provisions of this bylaw.

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6. Where the procedure stipulated in Section 5 for the extension of the application of this bylaw has been complied with the resolution of the Authority shall be published in *The Saskatchewan Gazette* and from that time forward this bylaw shall have force and effect in the said designated public park.

### CONDUCT OF PERSONS USING THE PARK

7. Except as may be authorized by the Authority or Director in writing or by a sign erected by the Authority or by a participating party, no person shall within a public park:
- a) destroy, deface or remove any gate, fence, bridge, sign, building, firepit, firewood bin, or any materials temporarily or permanently in a public park for any authorized project or purpose;
  - b) uproot, fell or remove the whole or part of any shrub or tree;
  - c) damage or destroy any bird's nest or eggs, or beaver dam or the lair, den, hive, or home of any animal or set any trap, or snare, or injure, kill or attempt to injure or kill any wild animal or birds;
  - d) throw, dump or litter any material of any kind within a public park except in receptacles provided for that purpose;
  - e) start, make or kindle any fire except in barbecue pits or stands that are, or may be, erected for that purpose by the Authority or by a participating party; except in connection with a program that is authorized by the Authority or the Director and where the fire is started under the direction and supervision of a program leader or conservation officer;
  - f) permit any domestic animal to be within the public park except under proper control or pursuant to a lease entered into with the Authority or participating party that owns the public park; and
  - g) vend, solicit or advertise except by written permission of the Authority.

### HOURS OF OPERATION

8. a) The Director may, from time to time, after consultation with the participating

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- party that owns the public park, designate hours of the day when a public park or part thereof is to be closed to the public. During such designated hours, no person or vehicle shall enter the closed part of a public park except with the written authorization of the Director and any person already therein shall leave upon request by a police officer or conservation officer.
- b) Notwithstanding that the Director may not have consulted the participating party, the Director may designate that a public park or part thereof is temporarily closed if in the Director's opinion a natural or man-made emergency situation exists which threatens danger to a public park or to the health, property or safety of users of the public park. Where the Director has designated a public park or part thereof to be temporarily closed, no person or vehicle shall enter or remain in that public park or part thereof except with the approval of the Director;
- c) Notwithstanding that a public park may not be closed, a police officer or conservation officer may, at his or her discretion, request that a person or persons leave the public park at any time if the police officer or conservation officer believes on reasonable and probable grounds that the person or persons have committed or are about to commit a violation of any bylaw or provincial or federal statute or are conducting themselves in a manner that detracts from the enjoyment of the public park by other members of the public and upon such request the person or persons shall immediately leave the park.

**FIREARMS**

9. No person except a duly authorized police officer or other person authorized in writing by the Chief Enforcement Officer shall discharge or have in his or her possession in a public park any firearm.

**VEHICLES**

10. a) Subject to Sub-section 10(b), no person shall drive, operate, park or move any vehicle anywhere in a public park except in those areas designated by the Authority as public parking areas or public roadways.
- b) Sub-Section 10(a) shall not apply to:

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- i) police vehicles, ambulances, fire trucks, or other equipment used in the prevention of fires, or other emergency vehicles;
  - ii) a vehicle necessarily incidental to the construction, operation, servicing or maintenance of a building, work, improvement, service facility, public utility, landscape construction or other construction project that has been authorized by the Authority or the Director;
  - iii) any other vehicle specifically authorized by the Authority or director to be in a public park;
- c) The maximum permitted speed limit in a public park, unless otherwise posted, shall be 20 kilometres per hour.

### PENALTIES

11. a) Any person who contravenes any provision of this bylaw shall be liable on summary conviction to pay a fine of up to five hundred dollars and in default of payment the provisions of Section 134 of *The Urban Municipality Act* shall apply.
- b) Further to Sub-Section 10(a), the following fines apply to any person parking a vehicle within a public park during the hours the public park is closed:
- i) \$50 if payment is made or postmarked within 14 days of issue date, or
  - ii) \$75 after 14 calendar days of issue.
- c) A police officer may, without warrant, remove or cause the removal of any vehicle that, in his opinion:
- i) is being operated in violation of this bylaw;
  - ii) has been stopped or parked in violation of this bylaw; and may impound or store the vehicle until the payment of the cost of removal and impounding or storage is paid.

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- d) Where a vehicle has been impounded or stored, under subsection (b)(l), no person shall take it out of the possession of the person making the removal or storage from the place in which it has been stored without the written consent of a police officer.
- e) Upon payment of the cost of removal and impounding or storage of the vehicle, a police officer may release the vehicle to the owner.
- f) In the event that the cost of removal and impounding or storage is not paid within 30 days from the date of the removal or impounding or storage of the vehicle, the cost of the removal and impounding or storage may be recovered from the owner by an action in a court of competent jurisdiction or by a sale of the vehicle at public auction or by private sale.

**ENFORCEMENT**

- 12. This bylaw is passed pursuant to Section 2 of *The Meewasin Valley Authority Act* and pursuant to Section 12(9) of that Act may be enforced in the same manner as bylaws of a municipality may be enforced under *The Urban Municipality Act*, and for the purpose Section 23 and Section 133 to 136 of *The Urban Municipality Act* apply to this bylaw mutatis mutandis.

**DATE ON WHICH BYLAW TAKES EFFECT**

- 13. This bylaw shall have force and effect on and after that date on which it is published in *The Saskatchewan Gazette*.

**SCHEDULE A**

- 1. Beaver Creek Conservation Area consists of the following land:
  - i) all of the northwest quarter of Section 6, township 35, Range 5, west of the 3<sup>rd</sup> meridian, except that portion lying southeast of highway number 219;
  - ii) all of the southwest quarter of Section 7, Township 35, Range 5, west of the 3<sup>rd</sup> meridian that lies east of the east bank of the South Saskatchewan River.

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- iii) that portion of the northeast quarter of Section 1, Township 35, Range 6, west of the 3<sup>rd</sup> meridian that lies north of Beaver Creek and east of the east bank of the South Saskatchewan River; and
  - iv) all of the southeast quarter of Section 12, township 35, Range 6, west of the 3<sup>rd</sup> meridian, that lies east of the east bank of the South Saskatchewan River.
2. Cranberry Flats Conservation Area consists of the following lands:
- i) all of the southeast quarter of Section 30, township 35, Range 5, west of the 3<sup>rd</sup> meridian; and
  - ii) all of the southwest quarter of Section 30, Township 35, range 5, west of the 3<sup>rd</sup> meridian, that lies east of the east bank of the South Saskatchewan River.
3. Fred Heal Canoe Launch consisting of all that portion of the southwest quarter of Section 12, Township 35, Range 6, lying to the south of the south bank of the South Saskatchewan River.
4. Maple Grove Conservation Area consists of the following lands:
- i) all that portion of the northeast quarter of Section 12, Township 36, Range 6 which lies to the west of the left bank of the South Saskatchewan River; and
  - ii) all that portion of the northwest quarter of Section 12, Township 36, Range 6 except all that portion described as follows:
  - iii) commencing at the southwest corner; thence easterly along the southern boundary 775.5 feet; thence northerly and parallel with the western boundary 726 feet; thence north easterly in a straight line to a point on the eastern boundary southerly 544.5 feet from the northeast corner; thence northerly along the eastern boundary to the northeast corner; thence westerly along the northern boundary to the northwest corner; thence southerly along the western boundary to the point of commencement.



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5. Paradise Beach Conservation Site consisting of all that portion of the southwest quarter of Section 3, Township 35, Range 6 shown as Parcel B on Plan 97S42012.
6. Poplar Bluffs conservation Site consisting of the west half of Section 30, in Township 35, Range 5, west of the 3<sup>rd</sup> meridian, which lies west of the left bank of the South Saskatchewan River.
7. Wanuskewin heritage Park site consisting of:
  - i) all that portion of Section 25, Section 35 and Section 36, Township 37, Range 5, west of the 3<sup>rd</sup> meridian, shown as Parcel "C" on Plan of Record No. 92-S-11476.
8. Saskatoon Natural Grasslands consisting of Parcel: YY, Plan 92-S-44715, Ext. 3 and Parcel: ZZ, Plan 92-S-44715, Ext. 0.