



THE CITY OF LANGLEY
The Place To Be!

**PARKS AND PUBLIC FACILITIES
BYLAW NO. 2515**

A Bylaw to govern the management and use of parks and public facilities
acquired or held by the City

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Consolidated as of May 20, 2016

TABLE OF CONSOLIDATION	
BYLAW	SUBJECT MATTER
Bylaw No. 2950, Amendment No. 1	Banning of individuals from facilities
Bylaw No. 2967, Amendment No. 2	Add Linwood Dog Off-Leash area
Bylaw No. 2987, Amendment No. 3	Remove reference to animals in public facilities



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A Bylaw to govern the management and use of parks and public facilities
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WHEREAS the Council of the City of Langley is empowered to make rules and regulations governing the management and use of parks and Public Facilities acquired or held by the City for its purposes;

AND WHEREAS the general welfare of the community is enhanced by the regulation and use of the City's parks and public facilities.

The Council of the City of Langley, in open meeting assembled, enacts as follows:

Part 1 - Introductory Provisions

Title

1. This bylaw may be cited as "Parks and Public Facilities Regulation Bylaw, 2003, No. 2515."

Definitions

2. In this bylaw,

"Boulevard" means and includes any portion of any road, street, lane or highway which has been sodded, seeded or otherwise improved and maintained.

"City" means the City of Langley.

"Controlled Substance" means a controlled substance as defined or described in Schedules I to VIII of the Controlled Drugs and Substances Act, including related controlled substance paraphernalia, the possession of which is restricted under that Act.

"Council" means the Municipal Council of the City of Langley.

"Douglas Recreation Centre" means the structure owned by the City located in Douglas Park.

“Douglas Park” means the parcel of land owned by the City and located on the southwest corner of Douglas Crescent and 206th Street in the City and described as Part Lot 36 of Plan 10545 except Sketch Plan 11530 and road and Map 10813; and Lot 2, District Lot 36, Plan 3640 except Map 8514 and Registered Plan 14348, New Westminster District.

“Driveway”, “Roadway”, “Path” or “Lane” includes any way or thoroughfare within a park set apart and improved by grading, gravelling or other means for the use of pedestrian, vehicular or animal traffic.

“Liquor” means liquor as defined in the Liquor Control and Licensing Act, R.S.B.C. 1996, c.267, as amended.

“Local Government Act” means the Local Government Act, R.S.B.C. 1996, c.323, as amended.

“Loiter” means to linger apparently without a discernible purpose.

“Nicomekl Floodplain” means the lands abutting both sides of the Nicomekl River located approximately between 196th Street and 210th Street in the City.

“Park” means and includes public parks, playgrounds, squares, greens and other open spaces, including all driveways, roadways, paths, and lanes within or adjacent to the public parks, playgrounds, squares, greens and other open spaces under the custody, care and management of the Council but does not include the traveled portion of a highway, street, lane or right-of-way designed or intended for or used by the general public for the passage of vehicles, dedicated as road by a registered plan.

“Person” includes natural persons of either sex, associations, corporations, bodies politic and partnerships, whether acting by themselves or by an agent, employee, or servant and the heirs, executors, administrators, successors and assigns or other legal or personal representatives of such persons.

“Public Facility” includes:

- (a) every public building (including all driveways, roadways, paths and lanes within or adjacent to the public building) including, but not limited to the City Hall and public library, any community center, art gallery, museum, arena, exhibition and all other community facilities owned or controlled by the City; and
- (b) any real property upon which a public building is located that was acquired and held by the City and managed by it for the use by the public.

“Run at Large or Running at Large” means an animal or fowl is not under control by being in direct or continuous charge of a person who is competent to control it.

“Sendall Gardens” means the parcel of land owned by the City and located at the southwest corner of 50th Avenue and 202nd Street in the City and described as Lot 3, District Lot 3, Plan 27950, New Westminster District.

“Supervisor” means the administrative manager responsible for parks administration or public facilities within the City or his designate; and for

the purpose of enforcing the provisions of this Bylaw or a permit issued hereunder also includes:

- (a) a peace officer; and
- (b) a bylaw enforcement officer appointed by the City.

“Vehicle” includes all forms of conveyance for the carriage or transport of persons, passengers, goods or materials, whether drawn by animals or propelled by any mechanical device or other motive power whatsoever, and shall include bicycles, motorcycles, tricycles, rollerblades and skateboards.

Part 2 - Application

Parks and Public Facilities

- 3. Every park and public facility shall be subject to the provisions of this bylaw and a supervisor shall be responsible for enforcing its provisions.

Additional Parks and Public Facilities

- 4. The City may acquire, construct, equip, operate and maintain such additional parks and public facilities as the City may decide. All such additional parks and public facilities shall be included in the definition of “parks” and “and public facilities” shall be subject to all provisions and regulations of this bylaw.

Exemption

- 5. Notwithstanding anything contained in this bylaw or any other bylaw of the City to the contrary, all officers, officials, employees and agents of the City, while acting in the exercise and within the scope of their duties, shall be exempt from the provisions of this bylaw.

Part 3 - General Regulations

Advertising

- 6(a) No person shall deliver, distribute, post, paint or affix any advertisement, promotional material, poster, bill or advertising within a park or at a public facility without the prior written permission of the supervisor responsible for such park or public facility.
- 6(b) No person shall use or permit the use of any advertising vehicle within a park or at a public facility without the prior written permission of a supervisor.

Animals

- 7(a) Subject to Section 7(b), no person who owns, possesses, harbors, or has the control of any animal or fowl shall permit such animal or fowl to run at large or feed in any park.
- 7(b) Dogs must be on-leash at all times when they are in parks with the exception that dogs are permitted to run free in the three “off-leash” dog areas described herein:

- (i) The fenced area of the Hydro right-of-way between 206th Street and 205th Street;
 - (ii) The Nicomekl Park on the west side of the 208th Street Causeway, north of the Nicomekl River; and
 - (iii) The fenced area of Linwood Park signed as a Dog Off Leash area.
- 8. No person shall ride, drive or herd horses or other livestock within any park.
- 9. No person who owns, possesses, harbours or has the control of any animal or fowl shall permit such animal or fowl to enter into the water of a reservoir, pond, pool, stream or other water receptacle within any park.
- 10. No animals are permitted within public facility buildings, with the exception of certified guide and service dogs in accordance with the Guide Dog and Service Dog Act.

Behaviour and Conduct

- 10(a) The supervisor may post rules of behaviour and conduct in a visible location in a park or public facility.
- (b) Every person within a park or public facility shall observe and obey all City bylaws, regulations, enactments and policies including without limitation, all signs and posted notices.
- (c) No person shall:
 - (i) act in a disorderly, dangerous or offensive manner in a park or public facility;
 - (ii) enter or remain at a public facility without being attired with shoes and a shirt;
 - (iii) consume or have in their possession any alcohol or controlled substance in a park or public facility unless the alcohol or controlled substance is consumed or possessed pursuant to and in compliance with a licence issued under the Liquor Control and Licensing Act or Controlled Drugs and Substances Act;
 - (iv) engage in an activity involving a high speed projectile, including golf, archery, javelin, war games, radio controlled aircraft or cars in a park or public facility unless the activity is specifically authorized by the supervisor;
 - (v) molest, disturb, frighten, injure, trap or snare any bird or animal or any fish in any stream or pond;
 - (vi) interfere with or obstruct any employee of the City in the performance of their duty at or in relation to a park public facility; or
 - (vii) use or operate any device in such a manner to disturb the enjoyment of the park or public facility by other persons except as specifically authorized by the supervisor.

Damage

11. No person shall within a park or at a public facility:
- (a) remove, cut, break, injure or in any way destroy or damage any tree, shrub, plant, turf, sod, or flower;
 - (b) cut or remove any tree, timber or firewood;
 - (c) damage or deface any building, structure, fence, sign, seat, bench, equipment, or ornament;
 - (d) damage, deface, clutter or block any boulevard, driveway, roadway, path or lane;
 - (e) injure, deface or destroy any notice, sign, rule or regulation erected, posted or affixed to any building, structure, fence, seat or bench by order or permission of the City or a supervisor responsible for such park or public facility;
 - (f) climb, walk or sit upon any wall, fence or other structure in or upon any park or public facility or boulevard unless it is designed and intended for such purpose;
 - (g) cross, travel on, use or walk upon any grassed plot or land where signs have been posted forbidding such use;
 - (h) foul, litter or pollute, in any way, any fountain, stream, pool or pond;
 - (i) deposit any waste, offensive material or other substance of any kind into or upon any tree, shrub, plant, turf, sod, flower, building, structure, fence, sign, seat, bench, ornament, grassed plot, fountain, stream, pool, pond or other surface within the limits of any park or at a public facility except in the receptacles provided for such purpose;
 - (j) remove soil, earth, topsoil, dirt or other material from lands within any park or at a public facility;
 - (k) wilfully, maliciously or carelessly let off, turn on, or discharge any water so that the water runs to waste and useless out of any tap, pipe or other fixture within a park or at a public facility; or
 - (l) throw or place upon the ground any lighted match, cigar, cigarette or other burning substance.

Encroachments

12. No person shall encroach upon any lands within a park or upon a public facility for his own purposes.

13. No person shall erect, construct, build, occupy or cause to be erected, constructed, built or occupied, in any park or at any public facility or on any boulevard any tent, building, structure, shelter, pavilion or any other construction whatsoever except with the prior written permission of the Council.
14. The City may remove or cause to be removed from any park or any public facility any encroachment, temporary abode, tent, building, shelter, pavilion, structure or other construction whatsoever located within a park or at a public facility contrary to the provisions of this bylaw at the expense of the responsible person.

Hours and Dates of Operation

15. Subject to Section 15, all parks in the City of Langley shall be closed to the public and to all vehicles from dusk to dawn throughout the year. All persons found within the parks during the closed time shall be treated as trespassers.
16. Section 14 shall not apply to:
 - (a) any person who has entered into a contract with the City to rent or use any park or Douglas Hall or who is in attendance at a function in a park or at Douglas Hall for which a contract has been entered into; or to
 - (b) officers, officials, employees and agents of the City who must in the course of their duties be in a park during closed hours; or to
 - (c) City vehicles used by the officers, officials, employees or agents in carrying out their duties during the closed hours; or to
 - (d) the caretaker and his immediate family residing in Sendall Gardens.

Sale of Goods and Services

17. No person shall sell or expose for sale any refreshments or any article or thing or offer any service for a fee within a park or at a public facility without the prior written permission of a supervisor who is responsible for the administration of such park or public facility.

Weapons/Fireworks

18. No person shall carry or discharge any firearm, airgun, sling shot, or other weapon or dangerous toy within a park or at a public facility.
19. No person shall set off any fireworks or fire or explode any combustible or other explosive material within a park or at a public facility except within an area specifically set aside for such purpose; and then only if the person has the prior written permission of the Fire Chief and a valid Park Use Permit.

Part 4 - Vehicles

Restrictions

20. No person shall park a vehicle at a park or public facility other than in a designated area and in accordance with posted signs or as otherwise directed by a supervisor responsible for such park or public facility.

21. No person shall drive or propel or permit to be driven or propelled, any vehicle within a park or at a public facility except upon a driveway, roadway, path, lane or parking area designed for vehicular traffic.
22. No person shall use a vehicle to occupy or travel on any driveway, roadway, path, lane or boulevard within a park or at a public facility where signs have been posted prohibiting such use, occupation or travel.
23. No person shall drive a vehicle within a park or at a public facility at a rate of speed greater than the posted speed limit.
24. In addition to any other penalty provided for in this bylaw, any vehicle found within a park or at a public facility in contravention of this bylaw is subject to seizure and removal from the facility at the expense of the owner or operator of the vehicle.

Exemptions

25. The regulations in Part 4 shall not apply to:
 - (a) invalids' chairs or children's carriages propelled on footwalks provided that they do not interfere with the free use of footwalks by pedestrians;
 - (b) vehicles owned by the City or used by the City; and
 - (c) emergency vehicles as defined in the *Motor Vehicle Act*, R.S.B.C. 1996, c.318, as amended.

Part 5 - Special Events

Authority to Grant Permits

26. The City Manager, or designate is authorized to issue and to grant permits for the use of a park or public facility, subject to the applicable policies and procedures adopted by the City.

Prohibition

27. No person shall hold a procession, march, drill, performance, ceremony, concert, gathering or similar activity within a park or public facility without a valid permit issued by the City.

Part 6 - Permission to Act

Conditions

28. Every person who receives the written permission of a supervisor of the City to act in a manner which would otherwise be contrary to the provisions of this bylaw shall at all relevant times have a copy of the permission in his possession at the park or public facility and act in accordance with the conditions imposed by the written permission.

Indemnity

29. Every person who receives the written permission of a supervisor of the City must indemnify and save harmless the City and their elected and appointed officials, employees and agents from and against any and all claims, demands, suits or compensation arising, directly or indirectly, from the granting of the permission.

Part 7 – User Suspension

30. If a supervisor, their designate, a peace officer or a bylaw enforcement officer observes a person or group within a park or public facility contravening any provision of this Bylaw or any other enactment, he or she may direct that person or the group to leave the park or public facility.
- 31.(a) A supervisor may warn a person who is contravening or has contravened this bylaw that they face suspension, and if that person continues to contravene the Bylaw or commits a new contravention despite the warning, the supervisor may suspend that person's right to enter, access or use a park or public facility for a period of time that the supervisor considers appropriate under the circumstances, including with regard to:
- (i) the nature of the contravention;
 - (ii) the degree to which the conducted affected or could reasonably be expected to affect the safety of other people and property at the park or public facility; and
 - (iii) previous contraventions of this Bylaw by the person.
- (b) If a supervisor suspends a person for a period longer than one month, the supervisor:
- (i) must provide the suspended person with a letter specifying the contravention and any other matters the supervisor took into account in issuing the suspension; and
 - (ii) may require that the suspension period be automatically extended until such time as the suspended person meets with the supervisor to discuss the contravention and the suspended person's willingness to comply with the Bylaw in the future.
- (c) Any person subject to a suspension under this part may request that Council reconsider the suspension.
- (d) A suspended person must be advised of their right to request Council reconsideration.
- (e) A person who seeks Council reconsideration of a suspension must:

- (i) make the request and any supporting submissions in writing; and
- (ii) deliver the request and submissions to the City's Manager of Legislative Services at least two days before the publication of the agenda for the regularly scheduled Council meeting at which the person would like the suspension reconsidered.

Part 8 - Offences and Penalties

Offences

32. (a) The provisions of this bylaw may be enforced by a supervisor.
- (b) Every person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw or who neglects to do or refrains from doing any act or thing which violates any of the provisions of this bylaw shall be liable to the penalties hereby imposed and each day that such violation is permitted to exist shall constitute a separate offence.

Penalties

33. Any person who violates any of the provisions of this bylaw shall upon summary conviction, be liable to a penalty of not more than \$2,000 plus the cost of prosecution, or to a term of imprisonment not exceeding three (3) months, or both.

Part 9 - Miscellaneous

Severability

34. If any part of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw which shall continue in full force and effect and be construed as if the bylaw had been adopted without such invalid portions.

Repeal

35. The Parks Regulation Bylaw, 1975 No. 678 and its amendments are hereby repealed.
36. This Bylaw may be cited as the "Parks and Public Facilities Bylaw, 2004, No. 2515".

READ A FIRST, SECOND, AND THIRD TIME this eighth day of March, 2004.
ADOPTED this twenty second day of March, 2004.

MAYOR

CITY CLERK