

BY-LAW # L-5

A BY-LAW RESPECTING PUBLIC PARKS IN THE TOWN OF NACKAWIC

BE IT ENACTED by the Council of the Town of Nackawic as follows:

1. Interpretation

1.01 In this by-law,

(a) "Motor vehicle" has the same meaning as in the *Motor Vehicle Act*, with amendments thereto, and for the purposes of this by-law shall include "motorcycle" and "motor driven cycles" as defined in the *Motor Vehicle Act*, with amendments thereto,

(b) "Parks" means the lands in the Town of Nackawic set aside for recreational and public use, and any area in the Town, including playgrounds and parks, or any area designated as parkland on the Zoning Map,

(c) "All terrain vehicle" means any motor vehicle designed or adapted for off-road use and, without limiting the generality of the foregoing, includes dirt bikes, dune buggies, motorized snow vehicles and amphibious machines but does not include any vehicle which is designed for use and is being used in agriculture, forestry, mining or construction, or any vehicle registered under the *Motor Vehicle Act* or any vehicle exempted from the application of this Act by regulation,

(d) "Recreation department" means the Recreation Department of the Town of Nackawic.

1.02 The Provisions of this by-law shall apply to the parklands and recreation areas of the Town of Nackawic.

2. Duties of the Recreation Department

2.01 The operation of parklands and recreation areas of the Town shall be under the supervision of the Recreation Department.

2.02 The Recreation Department shall be responsible for the general development of the parklands and recreation areas and the general care of trees, and such work as the Council may direct for the preservation and improvement of parks and trees in the Town.

3. General

3.01 No person shall use a park or any part thereof for the purpose of holding or carrying on a fair, carnival, bazaar, or any other activity for profit or gain except non-profit groups with permission of the Council.

3.02 No person shall pitch a tent or park a mobile home or trailer in a park without the written permission of the Chief Administrative Officer.

3.03 No person shall hold any public gathering or meeting in a park, without first obtaining permission of the Chief Administrative Officer or his or her designate.

3.04 No person shall drive a motorized vehicle in a park unless in an area designated for vehicles permitted on public highways.

3.05 No person shall stop, stand or park a motorized vehicle in a park unless in an area designated for vehicles permitted on public highways.

3.06 No person shall operate an all terrain vehicle in a park.

3.07 No person shall loiter or remain in a park during the period between 11:00 pm on one day and one hour before sunrise on the following day.

3.08 No person shall throw, drop or deposit or cause to be deposited any glass bottle, glass, can rubbish, refuse, waste paper or waste of any kind in a park except in containers provided for that purpose.

3.09 No person shall light a fire in a park, without the written permission of the Chief Administrative Officer.

3.10 No person shall, by their conduct, endanger, disturb or annoy other users of the parkland or recreation areas.

4. Penalty Provision

Every person who violates any provision of this by-law is guilty of an offence and is liable to a fine of not less than Fifty Dollars (\$50.00) and not more than One Hundred Dollars (\$100.00).

5. Repeal Provision

5.01 By-Law No. 53, Public Parks, passed by Town Council on October 6, 1980, and amendments thereto, is hereby repealed.

5.02 The repeal of By-Law No. 53, Public Parks, and amendments thereto, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same

completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

DULY PASSED AND ENACTED BY THE COUNCIL OF THE TOWN OF NACKAWIC ON
OCTOBER 18, 2004.

Robert G. Connors, Mayor

Nancy Cronkhite, Chief Administrative Officer

First Reading: September 7, 2004
Second Reading: October 18, 2004
Third Reading: October 18, 2004