



THE CORPORATION OF THE TOWNSHIP OF NORWICH

BY-LAW NUMBER 55-2008

TO REGULATE, PROTECT AND GOVERN THE USE OF PUBLIC PARKS AND FACILITIES

WHEREAS the Municipal Act, S.O. 2001, as amended, Chapter 25, Section 11(3) 5 states that "A lower-tier municipality and an upper-tier municipality may pass by-laws, subject to the rules set out in subsection (4), respecting matters within the following spheres of jurisdiction: 5. Culture, parks, recreation and heritage";

AND WHEREAS The Corporation of the Township of Norwich deems it necessary to enact such a by-law to regulate, protect and govern the use of public parks and facilities;

NOW THEREFORE the Council of The Corporation of the Township of Norwich hereby enacts as follows:

1. **SHORT TITLE**

1.1 This by-law shall be known as the "Public Parks By-law".

2. **DEFINITIONS**

2.1 Alcoholic Beverage – shall mean spirits, liquor, beer, wine or any combination thereof and includes any alcohol in a form appropriate for human consumption as a beverage alone or in combination with any other substance.

2.2 Animal – shall mean any member of the animal kingdom, other than a human, and shall include birds.

2.3 Authorized – shall mean authorized by the Director or an authorized sign.

2.4 Authorized Function – shall mean a function or activity approved by the Director.

2.5 Authorized Sign – shall mean a sign, notice or other device placed or erected in or upon a park or facility with the permission of the Director.

2.6 Barbeque – shall mean a portable or fixed device designed or intended solely for the cooking of food in the open air but does not include outdoor fireplaces and campfires.

- 2.19 Municipal Law Enforcement Officer – shall mean a person appointed by the Council of the Corporation of the Township of Norwich for the purposes of enforcing by-laws and, for the purposes of this by-law, shall include a police officer.
- 2.20 Organized Team Sport – shall mean a team sport which operates under the auspices of a league, club or association and has a registration process with designated player rosters.
- 2.21 Park – shall mean land or land covered by water and all portions thereof owned or leased or under agreement or otherwise to the Corporation that are established, dedicated, designated, set apart or made available for use as a park, playground, playing field, ball diamond, sports field, beach, recreation centre, community building, arena, facility, square, garden, water or pedestrian walkway that is devoted to active or passive recreation and includes any lane or walkway or public parking area leading thereto.
- 2.22 Park or Parking – shall mean the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
- 2.23 Person – shall include any individual, company, corporation, partnership, firm, trust, sole proprietorship, government or government agency, authority or entity, however constituted, joint venture, syndicate or any other legal entity, and includes all successors, assigns or other legal representatives of any such entities.
- 2.24 Police Officer – shall mean a sworn member of a police service.
- 2.25 Service Animal - shall mean any animal or dog trained by a recognized school for service as a service dog to work or perform tasks for the benefit of an individual with a disability and includes an animal used in therapy that is registered with a recognized organization for that purpose.
- 2.26 Skateboard – shall mean a form of conveyance consisting of any number of wheels attached to a surface which is designed to ride upon whether operated by muscular power or otherwise.
- 2.27 Stand or Standing – shall mean the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.
- 2.28 Stop or Stopping – shall mean the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or a traffic control sign or signal.
- 2.29 Unauthorized Sign – shall mean a sign, notice or other device placed or erected in or upon a park or facility without the permission of the Director.

3. GENERAL PROVISIONS FOR PARKS

- 3.16 No person shall park, stop or stand any motor vehicle within a park except where permitted or designated by an authorized sign.
- 3.17 No person shall ride a bicycle, skateboard, rollerblades or inline skates in a park except where authorized.
- 3.18 No person shall operate, drive, park or stop a motorized snow vehicle in a park except where authorized.
- 3.19 No person in a park shall, without a permit and except where authorized and pursuant to the requirements of any applicable municipal by-law:
 - 3.19.1 sell, offer, expose or advertise for sale any:
 - 3.19.1.1 food or drink;
 - 3.19.1.2 newspaper, magazine or publication;
 - 3.19.1.3 goods, wares or merchandise;
 - 3.19.1.4 art, skill or service;
 - 3.19.2 practice, carry on, conduct or solicit for any trade, calling, business or occupation;
 - 3.19.3 distribute any flyers or circulars;
 - 3.19.4 post any bills, notices or advertising devices, including signs of any kind;
 - 3.19.5 convene, conduct or participate in any parade or procession;
 - 3.19.6 convene, conduct or hold a meeting or deliver a speech as a member of or to members of any group or to members of the public;
 - 3.19.7 have in his or her possession any alcoholic beverage;
 - 3.19.8 ignite, discharge or set off any fireworks;
 - 3.19.9 light any open air fire except where authorized;
 - 3.19.10 camp or construct any tent or other structure;
 - 3.19.11 play any organized team sport except where authorized;
 - 3.19.12 use a public address system or other device or equipment for amplifying sounds;
 - 3.19.13 cause or allow or permit a hot air balloon to take off or land except in an emergency situation.

7. SEVERABILITY

7.1 In the event that any of the provisions of this by-law are deemed ultra vires by any Court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

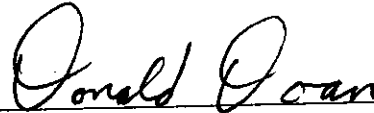
8. REPEAL

8.1 That Township of Norwich By-law No. 62-75 and 44-88 and any amendments thereto are hereby repealed in their entirety.

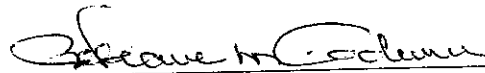
9. EFFECTIVE DATE

9.1 This by-law shall become effective upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8TH DAY OF JULY, 2008.



MAYOR
DONALD DOAN



CLERK-ADMINISTRATOR
BETTEANNE M. CADMAN